#### **AGENDA**

#### BOARD OF MAYOR AND ALDERMEN

June 6, 2006

7:30 PM Aldermanic Chambers City Hall (3<sup>rd</sup> Floor)

- 1. Mayor Guinta calls the meeting to order.
- 2. The Clerk calls the roll.
- 3. Recognition of contributors to the Manchester Art Fund.
- 4. Presentation of Arts Award.

#### **CONSENT AGENDA**

5. Mayor Guinta advises if you desire to remove any of the following items from the Consent Agenda, please so indicate. If none of the items are to be removed, one motion only will be taken at the conclusion of the presentation.

#### **Accept BMA Minutes**

A. Minutes of meetings held on March 6 and March 7, 2006. (Note: available for viewing at the Office of the City Clerk and forwarded under separate cover to Mayor and Aldermen.)

#### Ratify and Confirm Polls Conducted

B. On May 18, 2006 approving the execution of an agreement between the City of Manchester and Town of Goffstown to loan Building and Health inspectors to the Town for a limited duration to assist with necessary inspections due to damages suffered as a result of the floods of May 2006. (Unanimous)

C. On May 24, 2006 authorizing the Department of Public Works to enter into a contract committing \$1.5 million – 2007 Bond Resolution for school improvements.

(Aldermen Roy, Long, Duval, Osborne, Pinard, O'Neil, Shea, Garrity, Smith, Thibault and Forest voted yea; Aldermen Gatsas, Lopez and DeVries unavailable.)

#### Informational - to be Received and Filed

- **D.** Communication from Leon LaFreniere, Building Commissioner, providing a status update of emergency assistance to the Town of Goffstown.
- E. Minutes of the Mayor's Utility Coordinating Committee meeting held on May 17, 2006.
- F. Communication from Kathy DesRoches, Director of Educational Programs at UNH, advising that Jay Davini, Public Utilities Coordinator of the Department of Public Works, has attained the status of Roads Scholar Two.
- G. Communication from Dan LaBerge, expressing concern with the Helping Hands Drug and Alcohol Rehabilitation Permanent Housing Center proposal to be located at Golumb's Market on Union Street.
- **H.** Communications from Comcast advising of digital service changes beginning June 11 and 20, 2006.
- I. Communication from McGladrey & Pullen, CPA's, providing information relating to their June 30, 2006 audit plan and overall audit approval for the City of Manchester.

#### REFERRALS TO COMMITTEES

#### COMMITTEE ON BILLS ON SECOND READING

J. Rezoning Petition for property located on Holt Avenue (Lot 716-38) submitted by Attorney John Cronin on behalf of 127 Elm Street, LLC.

K. Ordinances submitted by Building Commissioner providing for proposed changes to permit fee schedules, Plumbing & Electrical Codes.

"Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers."

"Amending Chapter 1 Administration of the Building code of the City of Manchester providing for increased fees."

"Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code of Ordinances of the City of Manchester providing for increased fees.

#### **COMMITTEE ON FINANCE**

#### L. Resolutions:

"Amending the FY 2001, 2002, and 2006 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Hundred Seventy Seven Thousand Six Hundred Fifty Dollars (\$177,650) for various CIP Projects."

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Two Hundred Dollars (\$1,200) for the 2006 CIP 214506 – Senior Wellness Funding Initiative Program."

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the FY2006 CIP 612606 Citywide Marketing Plan Program."

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Thousand Dollars (\$60,000) for FY2006 CIP 713406 Watershed Restoration Project."

#### REPORTS OF COMMITTEES

## COMMITTEE ON ACCOUNTS, ENROLLMENT AND REVENUE ADMINISTRATION

M. Advising that it has accepted the Board of Assessors abatement and overlay account updates and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Unanimous vote)

- N. Advising that it has accepted the City's Monthly Financial Statements (unaudited) for the ten months ended April 30, 2006 for FY2006 and is forwarding same to the Board for informational purposes.)

  (Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

  (Unanimous vote)
- O. Advising that it has accepted the City's Quarterly Financial Statements (unaudited) for the nine months ended March 31, 2006 and is forwarding same to the Board for informational purposes.

  (Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

  (Unanimous vote)
- P. Advising that it has accepted the following Finance Department reports:
  - a) department legend;
  - b) open invoice report over 90 days by fund;
  - c) open invoice report all invoices for interdepartmental billings only;
  - d) open invoice report all invoices due from the School Department only;
  - e) listing of invoices submitted to City Solicitor for legal determination; and
  - f) accounts receivable summary/

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)
(Unanimous vote)

Q. Advising that it has accepted a summary of CIP project balances as of March 31, 2006 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

#### COMMITTEE ON BILLS ON SECOND READING

**R.** Recommending that an Ordinance:

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinances of the City of Manchester."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

S. Recommending that an Ordinance:

"Amending Sections 33.024, 33.025 & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

**T.** Recommending that an Ordinance:

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

U. Recommending that an Ordinance:

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48(C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

#### COMMITTEE ON COMMUNITY IMPROVEMENT

- V. Recommending that the Board authorize transfer and expenditure of funds in the amount of \$177,650 for various CIP projects, and for such purpose a resolution and budget authorizations have been submitted. (Unanimous vote)
- W. Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$1,200 for FY2006 CIP 214506 Senior Wellness Funding Initiative Program, and for such purpose a resolution and budget authorization have been submitted.

  (Unanimous vote)
- X. Recommending that the Board authorize acceptance and expenditure of funds in the amount of \$25,000 for FY2006 CIP 612606 Citywide Marketing Plan Program, and for such purpose a resolution and budget authorization have been submitted. (Unanimous vote)
- Y. Recommending that the Board accept a Watershed Restoration grant in the amount of \$60,000 from the NH Department of Environmental Services to complete the Nutts Pond Watershed Improvement Project, and for such purpose a resolution and budget authorization have been submitted. The Committee further recommends that Frank Thomas, Public Works Director, be authorized to sign the grant agreement after review and approval by the City Solicitor.

(Unanimous vote)

#### COMMITTEE ON FINANCE

**Z.** Recommending that Appropriating Resolutions:

"A Resolution appropriating to the Manchester Airport Authority the sum of \$52,321,042 from Special Airport Revenue Funds for Fiscal Year 2007."

"A Resolution appropriating the sum of \$16,664,386 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2007."

"A Resolution appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,537,900 from School Food and Nutrition Services Revenues for Fiscal Year 2007."

"A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2007."

(Note: report of CBSD Advisory Board regarding recommended services for the district enclosed.)

"Continuation of the Central Business Service District."
(Note: report of CBSD Advisory Board recommending geographic area remain the same enclosed.)

"Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2007 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year Under the Financing Agreement."

ought to pass and layover.

#### COMMITTEE ON HUMAN RESOURCES/INSURANCE

- AA. Recommending that the Board establish a policy preventing part-time employees from purchasing health insurance upon retirement. (Unanimous vote; Alderman Garrity absent)
- AB. Recommending that former retired part-time City employees not be allowed to sign up for health insurance during the open enrollment period. (Unanimous vote; Alderman Garrity absent)
- AC. Advising that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester." providing for the establishment of a new class specification, Airport Financial Manager, and is recommending same be referred to the Committee on Bills on Second Reading for technical review. (Unanimous vote: Alderman Garrity absent)

#### **AD.** Advising that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Canine Handler Supervisor) of the Code of Ordinances of the City of Manchester." providing for the establishment of a new class specification, Canine Handler Supervisor, and is recommending same be referred to the Committee on Bills on Second Reading for technical review. (Unanimous vote; Alderman Garrity absent)

#### **AE.** Advising that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Painter) of the Code of Ordinances of the City of Manchester." providing for the establishment of a new class specification, Painter, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

#### **AF.** Advising that it has approved Ordinance:

"Amending Section 33.026 of the Code of Ordinances of the City of Manchester providing for updates to Class Specification for Housing Inspector."

providing for changes in class specifications, which do not change the title of the position and do not provide for any changes in salary grades of such position and is forwarding same to the Board for adoption. (Unanimous vote; Alderman Garrity absent)

#### **AG.** Advising that it has approved Ordinance:

"Amending Section 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester."

providing for a change that allows a part-time employee to be granted a step increase upon satisfactory completion of 1,040 hours of work with additional step increases upon the satisfactory completion of 2,080 hours, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

#### COMMITTEE ON JOINT SCHOOL BUILDINGS

- AH. Advising that it has accepted the monthly report for May 2006 as submitted by DMJM, and if forwarding same to the Board for informational purposes. (Unanimous vote)
- AI. Advising that they have authorized the Facilities Division to go out for bids for the roof repair to Hallsville Elementary School. (Unanimous vote)
- AJ. Advising that they have approved the expenditure of \$9,000 from contingency to regrout and clean the ceramic tile flooring at Bakersville Elementary School.

  (Unanimous vote)
- AK. Advising that they have approved Change Order #22 in the amount of \$5,745 for various projects.

  (Unanimous vote)
- AL. Advising that they have approved the expenditure of \$26,587.05 from contingency for the installation of new storage lockers for band instruments at Memorial High School. (Unanimous vote)

#### COMMITTEE ON LANDS AND BUILDINGS

AM. Recommending that the Board of Mayor and Aldermen find property located on a portion of Second Street (Tax Map 314, Lot 7-A) surplus to city needs and that said property be disposed of through a land swap with David Larivee for a portion of land located on South Main Street (Tax Map 315, Lots 8 and 9). The Committee notes that it finds cause to dispose of the property in such manner in that it has been determined that there are no known City uses for the parcel, and that the land swap will resolve a difficult Trailway passage issue, bring development of the Piscataquog River Trailway closer to final realization, and serve an important public purpose. The Committee additionally notes that it is the Assessor's opinion that the value of both parcels being relatively equal, this is a fair swap and the Tax Collector has indicated no interest in the property as it is not a tax deeded parcel.

The Committee further recommends that the City Solicitor be authorized to prepare such documents as may be required to carry out such land swap and that the Mayor be authorized to execute such instruments as may be required subject to the review and approval of the City Solicitor. (Unanimous vote)

#### COMMITTEE ON PUBLIC SAFETY AND TRAFFIC

- AN. Recommending that a request from Auto City of Manchester to install a "road closed" sign on Depot Street, north side, west of Canal Street, be approved.

  (Unanimous vote)
- AO. Recommending that regulations governing standing, stopping, parking and operations of vehicles be adopted and put into effect when duly advertised and posted.

  (Unanimous vote)

LADIES AND GENTLEMEN, HAVING READ THE CONSENT AGENDA, A MOTION WOULD BE IN ORDER THAT THE CONSENT AGENDA BE APPROVED.

- 6. Nominations to be presented by Mayor Guinta, if available.
- 7. Confirmation of the nomination of Gerard L. Thibodeau to succeed Jen Drociak as a member of the Conservation Commissioner, term to expire August 1, 2006.

A motion is in order to confirm the nomination as presented.

8. Confirmation of the nomination of Celia Phillips to succeed Jessica Kinsey as a member of the Arts Commission, term to expire December 1, 2007.

A motion is in order to confirm the nomination as presented.

9. Confirmation of nominations to the Fire Commission as follows:

Omer Beaudoin to succeed Sean Toomey as the labor representative member, term to expire May 1, 2009; and

Peter Favreau to succeed himself, term to expire May 1, 2009.

A motion is in order to confirm the nominations as presented.

- 10. Confirmation of the nomination of Michael J. Landry as an alternate member of the Planning Board, term to expire May 1, 2007.A motion is in order to confirm the nomination as presented.
- 11. Mayor Guinta advised that a motion is in order to recess the regular meeting to allow the Committee on Finance to meet.
- 12. Mayor Guinta calls the meeting back to order.

#### OTHER BUSINESS

- 13. Report(s) of the Committee on Finance, if available. Ladies and Gentlemen, what is your pleasure?
- 14. State Legislative update presented by Mayor Guinta, if available.
- 15. Report of Committee on Bills on Second Reading recommending that an Ordinance:

"Amending Section 70.78 Basic Penalty to provide a specific penalty for parking in a driveway and for parking in front of a fire hydrant."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.) If Item U of the Consent Agenda relating to Traffic fines and penalties has been accepted, a motion is in order to receive and file this item.

16. Ordinances: (A motion is in order to read by titles only.)

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinances of the City of Manchester."

"Amending Sections 33.024, 33.025 & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48(C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

These Ordinances having had their second reading by titles only, the question is on passing same to be enrolled.

- 17. Mayor Guinta advises that a motion is in order to recess the regular meeting to allow the Committee on Accounts, Enrollment and Revenue Administration to meet.
- 18. Mayor Guinta calls the meeting back to order.
- 19. Report of the Committee on Accounts, Enrollment and Revenue Administration, if available.

Ladies and Gentlemen, what is your pleasure?

20. Communication from Leo Bernier, City Clerk, inquiring as to when the Board wishes to schedule its regular monthly meeting in July as the first Tuesday will be the 4<sup>th</sup> of July, Independence holiday.

Ladies and Gentlemen, what is your pleasure

21. Communication from Robert MacKenzie, Director of Planning, requesting extensions of CIP projects as listed.

Ladies and Gentlemen, what is your pleasure?

22. Ordinance: (A motion is in order to read by title only.)

"Amending Section 33.026 of the Code of Ordinances of the City of Manchester providing for updates to Class Specification for Housing Inspector."

This Ordinance having had the approval of the Human Resources Committee, if the related report has been accepted, a motion is in order that the Ordinance pass and be Ordained.

23. Ordinances: (A motion is in order to read by titles only.)

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinances of the City of Manchester."

"Amending Sections 33.024, 33.025 & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

These Ordinances have had their third and final reading by titles only, the question is on passing same to be ordained.

24. Bond Resolution: (A motion is in order to read by title only.)

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the 2007 CIP 310207, School Facility Improvements Project."

If the Board so desires, a motion is in order that the Bond Resolution pass and be enrolled.

#### 25. Resolutions: (A motion is in order to read by titles only.)

"Amending the FY 2001, 2002, and 2006 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Hundred Seventy Seven Thousand Six Hundred Fifty Dollars (\$177,650) for various CIP Projects."

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Two Hundred Dollars (\$1,200) for the 2006 CIP 214506 – Senior Wellness Funding Initiative Program."

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the FY2006 CIP 612606 Citywide Marketing Plan Program."

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Thousand Dollars (\$60,000) for FY2006 CIP 713406 Watershed Restoration Project."

If the Board so desires, a motion is in order that the Resolutions pass and be enrolled.

#### 26. NEW BUSINESS

- a) Communication
- b) Aldermen
- 27. If there is no further business, a motion is in order to adjourn.



# CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

> Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

#### **MEMORANDUM**

To:

Board of Mayor and Aldermen

From:

Lisa Thibault, City Clerk's Office

Date:

May 22, 2006

Subject:

BMA Minutes for Acceptance

Enclosed for your review and consideration are copies of minutes for meetings on the following dates:

March 6, 2006 March 7, 2006

which will appear on the June 6, 2006 BMA agenda.

Attachments



## **Board of Aldermen**

Yeas and Nays

Upon Strengent of Coffstown

Ju Blogs health Jusp and

5-18,2006

| Aidomoo                         | Yea     | No. | Absent  | Pass |
|---------------------------------|---------|-----|---------|------|
| Aldermen                        | rea     | nay | ADSCIIL | F435 |
| Ward 1 - Roy                    |         |     |         |      |
| Ward 2 - Gatsas                 |         |     |         |      |
| Ward 3 - Long                   | V       |     |         |      |
| Ward 4 - Duval                  |         |     |         |      |
| Ward 5 - Osborne                |         |     |         |      |
| Ward 6 - Pinard                 | V       |     |         |      |
| At Large - O'Neil               |         | ļ   |         |      |
| At Large - Lopez                |         |     |         |      |
| Ward 7 - Shea                   | V       |     |         |      |
| Ward 8 - DeVries                | 1       |     |         |      |
| Ward 9 - Garrity √ <sup>∧</sup> | V       |     |         |      |
| Ward 10 - Smith                 |         | ř   |         |      |
| Ward 11 - Thibault              |         |     |         |      |
| Ward 12 - Forest ⋈ <sup>*</sup> | 1 marie |     |         |      |
| TOTAL:                          |         |     |         |      |



#### LeBlond-Kang, Paula

From: Johnson, Carol

**Sent:** Thursday, May 18, 2006 1:38 PM

To: Guinta, Frank

Cc: Clark, Thomas; Thomas, Sean; Arnold, Thomas; Bernier, Leo; LeBiond-Kang, Paula

Subject: Goffstown Agreement

Eleven aldermen have approved the execution of an agreement by poll. Aldermen Garrity, Smith, and Forest have been left messages to call us. Please see that the original agreement gets to us (Paula or I) for submission with the ratification and recording of the Board's records. Thank you.



#### **AGREEMENT**

WHEREAS the Town of Goffstown has suffered damage to approximately 6,000 structures within the Town as a result of the Floods of May 2006, and

WHEREAS those structures require inspections by building and health inspectors over and above the capacity of the present Town inspectors to ensure they are safe for their intended use, and

WHEREAS the City of Manchester has the ability to loan building and health inspectors to the Town of Goffstown for a limited duration to assist with the necessary inspections, and

WHEREAS these services are authorized pursuant to the provisions of RSA 98-B, NOW THEREFORE, the City and the Town agree as follows:

- The Town may request the services of building and health inspectors in writing to the Mayor of the City of Manchester.
- 2. The Mayor shall forward the request to the appropriate City department.

  The appropriate department head shall assign the inspectors to work with the Town Officers under the Town's supervision.



- The employees assigned shall remain for all purposes the employees of the 3. City of Manchester. The employees will be allowed to utilize the transportation provided by the City.
- The Agreement may be terminated by either the City or the Town upon 4. written notice. Notice to the City shall be addressed to the City Clerk, One City Hall Plaza, Manchester, NH 03101. Notice to the Town shall be addressed to the Town Clerk Danns Bingerow Goffstown, NH 03045.

DATE: \_\_\_ 5-22-06

CITY OF MANCHESTER

Frank C. Guinta, Mayor

duly authorized

TOWN OF GOFFSTOWN

duly authorized

Vote) & SiGNED 84
Goffstown Selectoren 5/22/06
(Public Record)

## Board of Aldermen

Yeas and Nays

| Upon  | BULL B | , A  | 811            |              |
|-------|--------|------|----------------|--------------|
| \$15w | Coud   | Pos. | South Contract | and the same |
|       | May    | 35   |                | .2006        |

|    | Aldermen           | Yea          | Nay | Absent | Pass |
|----|--------------------|--------------|-----|--------|------|
| γV | Ward 1 - Roy       | V            |     |        |      |
|    | Ward 2 - Gatsas    |              |     |        |      |
|    | Ward 3 - Long      | $\bigvee$    | ·   |        |      |
|    | Ward 4 - Duval     | $\checkmark$ |     |        |      |
|    | Ward 5 - Osborne   | $\checkmark$ |     |        |      |
|    | Ward 6 - Pinard    | ✓            |     |        |      |
|    | At Large - O'Neil  |              |     |        |      |
|    | At Large - Lopez   |              |     |        |      |
|    | Ward 7 - Shea      | V            |     |        |      |
| M  | Ward 8 - DeVries   |              |     | ·      |      |
|    | Ward 9 - Garrity   | $\checkmark$ |     | ·      |      |
|    | Ward 10 - Smith    | V            |     |        |      |
|    | Ward 11 - Thibault | $\sqrt{}$    |     |        |      |
|    | Ward 12 - Forest   | $\sqrt{}$    |     | -      |      |
|    | TOTAL:             |              |     |        |      |



# CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

#### **MEMORANDUM**

To:

Board of Aldermen

From:

Leo'R Bernier

City Clerk

Date:

May 24, 2006

Re:

BMA Poll (\$1.5 Million 2007 Bond Resolution—School Improvements)

A request has been made by Mr. Tim Clougherty to conduct a poll of the Board of Aldermen relative to the above-referenced requesting authorization to enter into a contract to avoid delaying until after the June 13<sup>th</sup> BMA meeting.

If there is any Board member in opposition, please contact this office no later than noon on <u>Friday</u>, <u>May 26</u>, 2006 otherwise your vote shall be recorded in the affirmative.

Enclosure

pc:

Mayor Guinta

- OVER -





# City of Manchester Department of Highways 227 Maple Street Manchester, New Hampshire 03103

Commission
James E. Connolly, Jr.,
Chairman
William F. Kelly
Henry Bourgeois
Edward J. Beleski

Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

#### **MEMO**

To:

Frank Thomas

From:

Tim Clougherty

Date:

05/18/06

Re:

CIP 310207 Phone Poll Request

#### Frank:

The purpose of this memo is to request a phone poll of the Board of Mayor and Alderman authorizing the Department of Public Works to enter into a contract committing the above CIP monies.

The project contemplated is the elimination of 'open concept' classrooms at Parker Varney Elementary School. The project has been bid and the low bidder was Meridian Construction in the amount of \$1,390,000. The bond amount is \$1,500,000 leaving \$110,000 in contingency.

The funding has received preliminary approval of the Board and is currently 'laying over' until the next meeting. We are requesting authorization to enter into a contract to avoid delaying until after the June 13, 2006 BMA meeting.

The nature of the improvements to the school require construction of two stair towers at the school. In order to insure the safety of the students this must be completed before school opening in September. As a result the contractor and the City must take advantage of every available day between now and then.

We appreciate your consideration of this request.



## CITY OF MANCHESTER DEPARTMENT OF BUILDINGS

One City Hall Plaza Manchester, New Hampshire 03101 Tel: (603) 624-6475 Fax: (603) 624-6324



Matthew M. Sink Deputy Bldg. Commissioner

Date:

May 25, 2006

To:

Honorable Mayor Frank C. Guinta

From:

Leon L. LaFreniere, Building Commissioner

Subject:

Emergency Assistance to the Town of Goffstown

MAY 2 5 2006

MAYOR'S OFFICE

#### Mayor Guinta:

This memorandum is intended to provide a status update of the Building Department's response to the Town of Goffstown's request for assistance in the wake of the recent flooding issues. As you are aware, the Town of Goffstown experienced severe flooding in several residential areas of the community that resulted in the displacement of a large number of families that were not able to return to their homes until damage assessments were completed by qualified personnel. This task overwhelmed the capacity of town staff resulting in a request for assistance to neighboring communities. In addition to several other jurisdictions, the City of Manchester responded to this need by providing the services of our Building Inspector to assist in the assessment effort. Don Veilleux of my office has worked with Goffstown officials since Tuesday of this week. Goffstown Fire Chief Frank Carpentino has informed me that the need for Mr. Veilleux's services should be completed this Friday, resulting in a total of four days during which our inspector was assigned to these duties.

I have been asked by both Fire Chief Carpentino and Police Chief Michael French to extend the Town of Goffstown's appreciation for the assistance provided. This assistance has allowed many of the town's residents to return to their homes in a more timely manner than would have been possible utilizing only town staff resources.

#### MAYOR'S UTILITY COORDINATING COMMITTEE



May 17, 2006

<u>Chairman's Synopsis:</u> Most projects were put "on hold" while the City recovered from torrential rains over Mother's Day weekend. Audley Construction left the Candia Road job due to conflicts with Verizon utility poles. Three new proposals were presented to the Planning Board, a Team Nissan Auto Dealership at the Kids-R-Us site on Keller Street; a new call center for PSNH on W.Brook Street which includes parking on the first floor, and a large laundromat for the southwest corner of Union and Lake Avenue.

The meeting was called to order by Peter Capano at 10:05 AM.

#### MANCHESTER HOUSING & REDEVELOPMENT

#### Ward

- #3 157 Chestnut St.
- MHRA intends to relocate the offices of the Construction
   Division from 89 Pine St. to this property. The architectural firm of Dennis Mires, PA The Architects has been selected to design the renovations to office space. Design of renovations is in progress.
- #12 French Hall
- J.P. Sercel Assoc. (Lazer design/production firm) currently renovating the property for a planned fall '06 occupancy.
- #12 Northwest Industrial Business Park
- Oest Engineering continues with the permitting process. Preliminary subdivision design has been reviewed and commented on by staff. Engineers have met with utilities and have begun infrastructure design process.
- **#11** Brown School
- Funding for project has been approved. Staff is reviewing proposals from Construction Management firms.
- #3 Jac-Pac
- Continuing to look for interim use proposals. CMC will lease 350 parking spaces for 18 months during construction of garage/office building. Scheduled to begin on June 5, 2006.

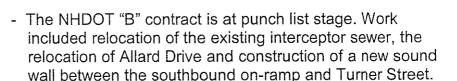
#### STATE PROJECTS

- #6 Candia Road [Bypass 28-I-93]
- R.S. Audley is under contract with the NH Department of Transportation for this road reconstruction project which has a two-year construction period. Construction expected to recommence soon.

#### Ward

#11 Granite St./F.E.

Everett Trnpk Imprv.



The NHDOT "C" contract bid was awarded to Middlesex Corp. of Mass. at \$28,687,750 which includes the City's work on Granite Street between Main St. and the river plus turnpike work. The Everett Turnpike abutment work is underway, steel to be placed on piers for southbound lane within the next month.

The City's Granite St. Bridge Contract was awarded to E.D. Swett, the low bidder at \$11.7 million. Forming east abutment footing now. The remainder of the City's (Contract "E") Granite Street work (Commercial St. to Elm St.) will be bid in 2006.

#8 Airport Access Road

 The NH Department of Transportation's design is progressing. Building demolition is complete in Manchester. Construction is expected to begin in 2006. The project will be split into multiple contracts and construction is expected to be complete in 2009. HTA is designing relocation of Trolley Crossing Pump Station force main for EPD.

#### PLANNING/BUILDING

#### **SUBDIVISIONS**

#12 Legacy Dr.

 11 lot subdivision located between Straw Rd. and Goffstown Road, base pavement is down, some occupancies have been issued. One or two houses left.

#8 Bryant Road

- Approved for both condos (56) and single family housing (34). Construction well underway.

#12 Woodland Pond

- 77 lot subdivision for single-family homes approved with roads off Countryside Bldvd. Work has begun in Phase 3.

#1 McLane Lane

Seven unit planned development approved by Planning Board east end of existing road.

#6 Grand View Estates

Argeriou property – 15 homes proposed on an extension of Lindstrom Lane has Planning Board approval.

#2 Sky Meadow Way

4 unit planned development approved off Currier Drive, work has begun.

#3 167/168 Silver St.

Two six-unit condos approved by Planning Board.



## <u>Ward</u>

- 4 new lots approved by Planning Board. Utility work #8 270 Stanton St. underway on one lot. SITE PLANS - Multiple residential townhouses are under construction with #3 Chinburg two highrise towers to follow just south of Fisher Cats Stadium. Some occupancy permits have been issued. - Shopping center rehab. - 73,000 SF, new overall #5 310 Wilson St. 171,000 S.F. Retail building "B" occupied. "Stop n' Shop" open. Gas pumps are open. Retail building "A" to begin soon. - Islamic Society Mosque foundation permit issued from #2 166 LaGrange Ave. Building Department. - One 5-unit condo and one 4-unit condo approved. #12 17 Riverfront Dr. Work is almost complete. #12 Front St./Hackett - 52 Unit, six building condos. Utilities in off Hackett Hill Rd. Hill Road Occupancy expected soon. - Dunkin' Donuts proposal has approval from Planning Board. #6 25 Lakeside Dr. #2 845 Mammoth Rd. - Three story, 10 unit building approved by Planning Board. #2 747 Mammoth Rd. - Six-unit apartments under construction. - Four houses to be built off Bridge Street Extension. #6 Hobbs Way Combination of 12 handicap access apartments & #5 661 Bell St. 26 townhouses. Construction has begun. "Vista View" #9 915 S.Mammoth Rd. - Three self-storage units has Planning Board approval. - Mill proposal to convert to housing approved by Planning #7 Maple/Silver Sts. Board. #6 Cohas Brook "Marathon Way" 31 unit planned development. Work is **Estates** well underway, some occupancies granted. "Mammoth Oaks" 8-unit planned development approved, **#2** 978 Mammoth Rd. construction has begun. Proposal for new medical office building, parking garage and #11 CMC walkway over McGregor St. work expected to begin June '06. Harvey Construction will manage this project.

#### Ward

| Charles and |
|---|
| Emmerson.                                       |
| ĺ.  |
| Exonomicon.                                     |

| <b>#11</b> CMC - Operating rooms to be re- | relocated within footprint of building. |
|--|---|
|--|---|

#6 1070 Holt Ave. - Industrial building. Work is underway.

#12 The Neighborhood - 487 Units on 110 acres bordering Goffstown and Hooksett @ Woodland Pond at Hackett Hill approved by Planning Board.

#2 Currier Museum - Expansion of building towards Orange St. Parking lot on the Prospect Street end has Planning Board approval.

#6 1085/1095
Bodwell Rd. - Planned development, 5 bldgs. 26 units approved by Planning Board. Work is underway.

#8 293 Abby Rd. - 32,000 S.F. office/warehouse building proposed for FW Webb.

#3 21 So. Elm St. - 8 Unit townhouse project proposed.

#6 1207 Hanover St. - Rehabilitation of existing warehouse/retail to 19,500 S.F. with loading and parking.

**#9** 161 So.Beech St. - Four story, 29 unit apartment proposed along with conversion of church to retail space.

#9 565 Gold St. - E&R Cleaners proposing to move operations.

**#5** So.Willow St. - Jared Jewelers converting Exxon to retail approved by Planning Board.

#3 #73 W.Brook St. - Proposal for a 15,530 S.F. building for PSNH Call Center with parking.

#3 #386 Union St. - Proposal for a 4,000 S.F. one story building to be used as a Laundromat.

#8 #70 Keller St. - Proposal to build a 31,000 S.F. Team Nissan dealership.

#### **Water Works Projects**

#### **Cleaning & Lining Project**

| a) Coolidge Ave. – Dexter to Cartier St.        | 2,330 L.F. of 8"     |
|---|----------------------|
| b) Kelley St. – Rimmon St. to Notre Dame Ave.   | 840 L.F. of 6"       |
| c) Hevey St. – Coolidge Ave. to Kelley St.      | 1,900 L.F. of 6"     |
| d) Rimmon St. – Coolidge Ave. to Kelley St.     | 1,770 L.F. of 6",12" |
| e) Granite St. – Allard Dr. to Main St.         | 900 L.F. of 10"      |
| f) Montgomery St. – Mason St. to Kelley St.     | 1,400 L.F. of 6"     |
| g) Dubuque St. – Bremer St. to Kelley St.       | 600 L.F. of 6"       |
| h) Cartier St. – Coolidge Ave. to Kelley St.    | 430 L.F. of 6"       |
| i) Dexter St. – Montgomery St. to Coolidge Ave. | 180 L.F. of 8"       |



#### Water Main Relays

| A) W. Hillcrest – Brown Ave. easterly        | 860 L.F. of 6"    |
|--|-------------------|
| B) Spruce St. – Lincoln St. to Wilson St.    | 700 L.F. of 6"    |
| C) Cooper St. – Donald St. southerly         | 380 L.F. of 6"    |
| D) Belair St. – Brown Ave. westerly          | 310 L.F. of 6"    |
| E) Quirin St. – Rimmon St. easterly          | 270 L.F. of 6"    |
| F) Reed St. – Kelley St. northerly           | 250 L.F. of 6"    |
| G) Cotter Ct                                 | 200 L.F. of 1.5"  |
| H) Montcalm St. – Dionne Dr. easterly        | 150 L.F. of 2"    |
| I) Reed St. – Bremer St. southerly           | 100 L.F. of 2"    |
| J) Farmer Ln. – Candia Rd. northerly         | 150 L.F. of 6"    |
| K) Brown Ave. – Relay for Airport Access Rd. | 1,500 L.F. of 12" |

#### **PARKS & RECREATION PROJECTS**

#### P&R PROJECTS - FY'04

## **#5** Raco-Theodore Pool Project

 Funding was appropriated in the the current CIP budget for the pool project. Work is approximately 75% done. July 1<sup>st</sup> opening is anticipated.

## **#10** Piscataquog Trailway, Phase II

Trailway, Phase II - Grant funding for Phase II has been approved by the NH
 Department of Transportation for a Transportation Enhancement (TEA) project. This will involve continuation of the trail
 from South Main Street to the West Side Arena. Authorization
 of funds will begin in the Fall of 2003. Designed by VHB.
 On "hold" pending property access.

## **#9** South Manchester Rail Trail

- Grant funding for the initial project has been approved by the NH-DOT for a Congestion Mitigation and Air Quality (CMAQ) project. This will involve planning, design and construction of a recreational trail along the former Manchester and Lawrence Branch Railroad, from Spring Garden Street to Gold Street. The trail will link neighborhoods along South Beech Street with Precourt Park. Berger Engineers have been chosen as design consultants. Bids were received with G.W.Tatro low bidder @ \$833,000. Work is 50% done. Completion in June of 2006.

#### Ward#

#### Valley Cemetery Rehabilitation

Grant funding from the Land and Community Heritage Investment Program (LCHIP) was approved this Spring. A total of \$400,000 is designated to begin the Phase 1 work, which will be done through (2) bids, Fence Rehabilitation and Gate Environs. Work should be complete in October. Cemetery Brook relocation prep work begun.

#### #9 Precourt Trail

Precourt Trail to connect to South Manchester Rail Trail.
 Contract awarded to JGE, the bridge has been ordered and installation is expected this Summer.

#### **HIGHWAY DEPARTMENT PROJECTS**

#### **Construction Projects**

#6 Candia Rd. Dry Sewer

- Sewer construction is 80% complete.

#11/12 CSO-6

 Work has begun on Kelley, Bremer and Mason Streets.
 R.D. Edmunds of Franklin, NH. is the contractor on this \$6 million project.

#4 Ohio Avenue

- Reconstruction underway from Hanover Street northerly. Base pavement is down.

#3/5 Central St.

Pine to Union first project this Spring.

#4/5 Merrimack St.

Lincoln to Wilson – second project after Central Street.

**#5** Spruce St.

Lincoln to Wilson – third project, after Merrimack Street.

#11 Dover St.

- Replace sewer this year.

#3 Chestnut St.

Sidewalks from Hanover St. to Merrimack St.

#1,5,7 Infrastructure Improvements  Boston St., Cedar St., Roy Ave., Cox St. bids to be opened in June.

#### MANCHESTER AIRPORT

#8 FAA Aircraft
Traffic Control
Tower (ATCT)

- Construction substantially complete. Facility scheduled to be operational in Summer of 2006.

#8 Runway 6

- Runway 6 reconstruction underway. Contractor awarded Continental Paving, Inc. Completion set for Fall 2006.



#8 Aerohex Hangars

- Rehabilitation of hangars in the N.E. area of the airport. Site work designed by CLD. Construction to begin this Summer 2006.

#8 Runway 24 Safety Area Extsn.Across S. Willow St.  Design work has begun for multiple project associated with the extension of the Runway 24 Safety Area.
 Construction is slated for 2007.

#8 De-Icer Fluid Management

- Project is under a design/build contract to Weston. Additional studies ongoing.

#8 Sand/Salt Storage Facility

 New facility under design by Louis Berger Group. Facility will be built between old Woodland Ave. and Starks Road opposite the U.P.S. facility in Londonderry. Bid and construction date 2006.

#8 Sand Equipment Bid

Next to Airfield Maintenance on Kelley Ave. Project apparent low bidder is Kensmen Corp.

**#8** Summit Packaging - #16 Ammon Rd.

Manchester Airport has taken ownership of building. Razing of building scheduled for 2006.

#8 Meggit Avionics #10 Ammon Rd. Manchester Airport has bought out the balance of the Meggit leasehold. Razing of building scheduled for 2006.

#### **KEYSPAN ENERGY DELIVERY**

#### CSO

a) Cartier St. – Bremer St. to Kelley St.
b) Youville St. – Bremer St. North to end of Main St.
c) Montgomery St. – Bremer St. North to end of Main St.
d) Notre Dame Ave. – Notre Dame at Kelley St.
e) Kelley St. – Dubuque St. to Reed Street
f) Bremer St. – Hevey St. to Alsace St.
g) Hevey St. – Montgomery St. to Kelley St.

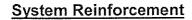
500 L.F. of 4"
220 L.F. of 4"
1,015 L.F. of 4"
1,080 L.F. of 8"
Tie Ins
700 L.F. of 6"

#### State of NH-D.O.T.

a) Candia Rd. - 193 to Proctor Road

2,050 L.F. of 8"

#### Ward #



400 L.F. of 6" a) Linden St. – 249 Linden St. to North St. 225 L.F. of 6" b) Taylor St. - Holley Ave. to Villa St. 270 L.F. of 8" c) Sagamore St. – Union St. to Walnut St. d) Tyler Ave. – S. Beech St. to Cameron St. 750 L.F. of 8"

e) Taylor @ Valley St. -

#### **PSNH**

#3 Merrimack St.

- Need to add transformer to existing network duct due to increased downtown load, scheduled for May 19<sup>th</sup> 2006.

#11 CMC

- Line crews in McGregor, Putnam, Foundry streets for six weeks.

#### MANCHESTER TRAFFIC DEPARTMENT

#3 Auburn St. @ Chestnut St.

- Bids for upgrade signal project were opened last week. Moulison North was low bidder at \$53,580.00.

#### **VERIZON**

#6 Candia Rd.

- Massabesic Circle to I-93. Cable relocation underway, expect completion this month.

#5 Spruce St.

 Lincoln to Wilson conduit replacement to accommodate Highway Department reconstruction work to begin soon.

#11 CMC

Conduit on McGregor and Foundry Street for CMC.

**NEXT MEETING:** The next MUCC meeting has been scheduled for Wednesday, June 21st 2006 at 10:00 AM in the Conference Room, second floor, at the Manchester Water Works.



#### Attended Contact List

|   | Ms. Janet Kelliher  | PSNH                     | 882-5894 X5230 |
|---|---------------------|--------------------------|----------------|
| X | Mr. Karl Franck     | Building Dept.           | 624-6475       |
| X | Mr. Jay Davini      | Manchester Highway Dept. | 624-6444       |
| Х | Mr. Guy Chabot      | Manchester Water Works   | 624-6494       |
|   | Mr. Chris Blue      | Fire Department          | 669-2256       |
| Х | Mr. Mike Venti      | Airport Authority        | 624-6539 X318  |
| X | Mr. Jody Rivard     | Manchester Fire Dept.    | 669-2256       |
|   | Mr. Chuck Deprima   | Parks & Recreation Dept. | 624-6565 X315  |
| X | Mr. Matt Wietecha   | Verizon                  | 645-2703       |
| Х | Mr. Terry Harlacher | Planning Department      | 624-6450       |
| Х | Ms. Betty Hackett   | Verizon                  | 645-2713       |
|   | Mr. Paul Shea       | Keyspan                  | 231-4970       |
| X | Mr. Mike Jolin      | MHRA                     | 624-2111       |
|   | Mr. Tim Dent        | Comcast                  | 679-5695 X1013 |
|   | Mr. Jim Mason       | Traffic Department       | 624-6580       |
| Χ | Mr. Alan Poulios    | Keyspan                  | 231-6415       |

NOTE: NEW projects for the month will be italicized/bold printed.

## UNIVERSITY OF NEW HAMPSHIRE

Technology Transfer Center 33 College Road Durham, New Hampshire 03824-3591 (800) 423-0060 (in NH) or (603) 862-2826 FAX (603) 862-0620 INTERNET: t2.center@unh.edu

May 3, 2006

Robert Baines
Board of Selectmen
City of Manchester
1 City Hall Plaza
Manchester NH 03101

RECESSION MAY 0 8 2006

MAYOR'S OFFICE

#### Dear Robert Baines:

It is a pleasure to inform you that Jay Davini has achieved the status of Roads Scholar Two. The Technology Transfer Center has created the Roads Scholar Program to recognize various achievement levels. The Technology Transfer Center is sponsored by the Federal Highway Administration and the New Hampshire Department of Transportation. One of the missions of the Technology Transfer Center is to provide educational support for the people who build and maintain the nation's infrastructure.

Roads Scholar Two is the second achievement level in the Roads Scholar Program. It is distinguished from the other levels by requiring the completion of 50 contact hours. The contact hours for Roads Scholar Two must cover a variety of subjects to ensure Jay's training isn't concentrated all in one area. Jay has completed at least 10 hours in basics, 20 hours in other technical areas, 5 hours in supervision, and 5 in safety. The last ten hours are at the learner's discretion. The typical training session yields five hours of contact; therefore, an individual must typically attend ten one-day sessions to reach the level Jay has completed.

On behalf of the Technology Transfer Center, I am pleased to notify you of the extra effort and commitment that Jay has demonstrated in order to achieve this status. He deserves to be congratulated for his persistence and drive to maintain a leading edge in the field of local road maintenance and construction.

Sincerely,

Kathy L. DesRoches,

**Director of Educational Programs** 

hy Lalis Roches

CC:

Jay Davini Kevin Sheppard Frank Thomas

#### DAN LABERGE

33 Krakow Ave. MANCHESTER, NH 03103 (603) 315-7333 MFD567@AOL.COM

May 23, 2006

Mayor Frank C. Guinta One City Hall Plaza Manchester, NH 03101

Dear Mayor Guinta:

During your recent trip to Engine 7 discuss your proposed budget with myself and the other firefighters on duty, you and I had a moment to speak privately regarding an issue that is of concern to me. Per your request, I am writing to you today about the Helping Hands Drug and Alcohol Rehabilitation Permanent Housing Center that is being proposed at Golumb's Market on Union Street.

This is a residential neighborhood and is heavily populated with children. The neighbors and myself feel that it is extremely inappropriate for this facility to be located in our neighborhood. When we spoke, you concurred that you also felt this project was unsuitable for this area. We need your help in stopping this project!

As you are aware, Helping Hands is a program for clients who are recovering from Drug and Alcohol abuse. I have spoken with the neighbors and they have told me that they would feel unsafe with this program in our neighborhood. I have also spoken in depth with Craig Everett, who is the Executive Director of Helping Hands Outreach Center and is the person proposing this project. I have expressed the concerns of the neighbors but he seems steadfast that this program will come to fruition no matter what the cost to the residents in the area.

I understand that as this is budget season you are extremely busy, but I am confident that you will help us with situation. Time is of the essence. I will follow up with you in a couple of weeks to see how we can proceed. Please feel free to contact me with any questions, and you may also contact Craig Everett at (603) 623-8778 with your concerns.

Sincerely

Dan LaBerge

Cc:

Board of Mayor and Aldermen Hippo Press

Union Leader **WMUR** 



## (comcast

May 8, 2006

Via Certified Return Receipt Requested

The Honorable Frank Guinta Mayor/Board of Alderman City of Manchester 1 City Hall Plaza Manchester, NH 03101 Comeast Cable 676 Island Pond Road Manchester, NH 03109 T: 603-628-1400 F: 603-628-3303 www.comeast.com

RECEIVED

MAY 1 0 2006

MAYOR'S OFFICE

Dear Mayor and Members of the Board:

As part of our ongoing efforts to keep you informed about key aspects of our service, I would like to tell you about some changes that will become effective for certain groups of our customers. Beginning June 11, 2006, we will be advising many of our digital customers that several of the services that they currently receive will be identified on their monthly bills under the name Enhanced Cable.

Please refer to the six letters (enclosed) for specific details for each affected group of customers. Basic Cable, Standard Cable, converter boxes and remote control charges that are currently identified separately on the bill will now be identified and included on the bill under Enhanced Cable. Enhanced Cable will continue to provide our customers with the Standard Cable channels they currently enjoy today including MoviePlex and a standard digital converter and remote control, along with access to the Interactive Program Guide, Music Choice and On Demand programming. Starting next month, then, customers will continue to receive the same services that they currently receive all for the same price as part of Enhanced Cable.

Customers with High Definition (HD) converters or Digital Video Recorders (DVRs) will also note a format change on their bills. HD box customers will see a separate fee of \$4.45 that represents the difference in cost between a standard definition cable box, which is included in Enhanced Cable, and their current HD box. The bills for customers who have a DVR will reflect a separate DVR service charge of \$9.95. As noted, programming content and services will remain the same.<sup>1</sup>

Comcast is committed to offering the best value in home entertainment and investing in new technology to expand the programming services that we offer, including Comcast High Speed Internet, On Demand and High Definition Television. Should you have any questions about the information contained herein or about our services, please do not hesitate to contact me at 603-889-1363 ext. 3014.

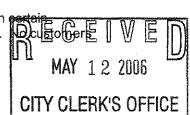
Respectfully,

Busan Christiansen

Manager of Government and Community Relations

Enclosure

1 For most customers, the amount they pay per month will not change. Customers with promotional and/or bundled packages may actually see the amount they pay decrease. will experience an increase in the amount they pay as a result of this change.





May 2006

Dear Valued Comcast Customer:

We're committed to keeping you informed about our products and services. As part of our efforts, we are advising you about a change in the way your Cable service will be identified on your bill. This change will be effective with your next billing statement.

Our records indicate that you subscribe to our Comcast Standard Cable Service (which includes Basic and Expanded Basic service) and that you also lease a digital converter box. Currently Standard Cable and your digital converter are separately listed on your monthly statement. On your next billing statement Standard Cable Service and your digital converter box will be listed under the name Enhanced Cable\*.

Enhanced Cable will continue to provide you with the Standard Cable channels you enjoy today along with MoviePlex, the digital converter box and access to the Interactive Program Guide, Music Choice, and access to On Demand programming that you currently receive. Starting next month, then, you will continue to receive the same services that you currently receive all for the same price as part of the Enhanced Cable service.

Comcast also offers other Digital Value Packages to meet all of your entertainment needs. Our representatives are available 24 hours a day, 7 days a week to answer questions and provide information on a package that may be better suited for you. Please call 1-800-COMCAST for more information.

As always, thank you for being a valued Comcast customer.

Sincerely,

John R. Waddell VP of Sales & Marketing Comcast Northern Division

\*If you currently have a discount on any of your Cable packages, this change in your billing statement will become effective after the discount has expired.

May 2006

#### Dear Valued Comcast Customer:

We're committed to keeping you informed about our products and services. As part of our efforts, we are advising you about a change in the way your Cable service will be identified on your bill. This change will be effective with your next billing statement.

Our records indicate that you subscribe to our Comcast Standard Cable Service (which includes Basic and Expanded Basic service) and that you also have a Digital Video Recorder (DVR) box on your account. Currently Standard Cable and your DVR are separately listed on your monthly statement. On your next billing statement you will see your Standard Cable service, the cost of a standard definition digital box and remote combined in a newly named service called Enhanced Cable\*. With the digital box charge included in Enhanced Cable, you will see a separate fee of \$9.95 on your bill, which represents the cost of the DVR service.

Enhanced Cable will continue to provide you with the Standard Cable channels you enjoy today along with MoviePlex, the digital converter box and access to the Interactive Program Guide, Music Choice, and access to On Demand programming that you currently receive. Starting next month, then, you will continue to receive the same services that you currently receive all for the same price as part of the Enhanced Cable service.

Comcast also offers other Digital Value Packages to meet all of your entertainment needs. Our representatives are available 24 hours a day, 7 days a week to answer questions and provide information on a package that may be better suited for you. Please call 1-800-COMCAST for more information.

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Sincerely,

John R. Waddell VP of Sales & Marketing Comcast Northern Division

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Version 3: Standard Customers w/HD

May 2006

Dear Valued Comcast Customer:

We're committed to keeping you informed about our products and services. As part of our efforts, we are advising you about a change in the way your Cable service will be identified on your bill. This change will be effective with your next billing statement.

Our records indicate that you subscribe to our Comcast Standard Cable service (which includes Basic and Expanded Basic service) and that you also have a High Definition (HD) cable box on your account. Currently Standard Cable and your HD converter box are separately listed on your monthly statement. On your next billing statement, you will see your Standard Cable service, the cost of a standard definition digital box and remote combined in a newly named service called Enhanced Cable\*. With the digital box charge included in Enhanced Cable, you will see a separate fee of \$4.45 on your bill, which represents the difference in cost between a standard definition cable box and your current HD box.

Enhanced Cable will continue to provide you with the Standard Cable and HDTV channels you enjoy today along with MoviePlex, the digital converter box and access to the Interactive Program Guide, Music Choice, and access to On Demand programming that you currently receive. Starting next month, then, you will continue to receive the same services that you currently receive for the same price under the name Enhanced Cable.

Comcast also offers other Digital Value Packages to meet all of your entertainment needs. Our representatives are available 24 hours a day, 7 days a week to answer questions and provide information on a package that may be better suited for you. Please call 1-800-COMCAST for more information.

As always, thank you for being a valued Comcast customer.

Sincerely,

John R. Waddell VP of Sales & Marketing Comeast Northern Division

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4

May 2006

Dear Valued Comcast Customer:

We're committed to keeping you informed about our products and services As part of our efforts, we are advising you about a change in the way your Cable service will be identified on your bill. This change will be effective with your next billing statement.

As of now, our records indicate that you subscribe to one of our Comcast Bundle promotions and that you also have a digital converter box on your account. Currently, the Bundle promotion and the digital converter box are separately listed on your monthly statement. On your next billing statement, the charge for your digital cable box and the Standard Cable service will be listed under the name "Enhanced Cable Package."\*

This package will continue to provide you with the same services you enjoy today, along with MoviePlex, the digital converter box and access to the Interactive Program Guide, Music Choice, and access to On Demand programming that you currently receive. Please note that there will be a decrease in your bill of \$4.75 because the new Enhanced Cable portion of your Bundle promotion, now includes one (1) digital box and remote.

Comcast also offers other Digital Value Packages to meet all of your entertainment needs. Our representatives are available 24 hours a day, 7 days a week to answer questions and provide information on a package that may be better suited for you. Please call 1-800-COMCAST for more information.

As always, thank you for being a valued Comcast customer.

Sincerely,

John R. Waddell VP of Sales & Marketing Comcast Northern Division

\*If you currently have a discount on any of your Cable packages, this change in your billing statement will become effective after the discount has expired.

May 2006

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As of now, our records indicate that you subscribe to one of our Comcast Bundle promotions and that you also have a Digital Video Recorder (DVR) box and service on your account. Currently Standard Cable and your DVR are separately listed on your monthly statement. On your next billing statement you will see your Standard Cable service, the cost of a standard definition digital box and remote combined in a newly named service called Enhanced Cable\*. With the digital box charge included in Enhanced Cable, you will see a separate fee of \$9.95 on your bill, which represents the cost of the DVR service.

This package will continue to provide you with the services and channels you enjoy today, including MoviePlex, access to the Interactive Program Guide, Music Choice, and access to On Demand programming that you currently receive. Plus, with your DVR service you will continue to receive all of the features of your Digital Video Recorder. Please note that there will be a decrease in your bill of \$4.75 because the new Enhanced Cable portion of your Bundle promotion now includes one (1) digital box and remote.

Comcast also offers other Digital Value Packages to meet all of your entertainment needs. Our representatives are available 24 hours a day, 7 days a week to answer questions and provide information on a package that may be better suited for you. Please call 1-800-COMCAST for more information.

As always, thank you for being a valued Comcast customer.

Sincerely,

John R. Waddell VP of Sales & Marketing Comcast Northern Division

<sup>\*</sup>If you currently have a discount on any of your Cable packages, this change in your billing statement will become effective after the discount has expired.

May 2006

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As of now, our records indicate that you subscribe to one of our Comcast Bundle promotions and that you also have a High Definition (HD) cable box on your digital account. Currently, the Bundle promotion and the HD converter are separately listed on your monthly statement. On your next billing statement, you will see your Standard Cable service, the cost of a standard definition digital box and remote combined in a newly named service called Enhanced Cable\*. With the digital box charge included in Enhanced Cable, you will see a separate fee of \$4.45 on your bill, which represents the difference in cost between a standard definition cable box and your current HD box.

This package will continue to provide you with the same services and channels that you enjoy today, including the HD converter box, HD channels, Interactive Program Guide, Music Choice, and access to the On Demand programming that you currently receive. Please note that there will be a decrease in your bill of \$4.75 because the new Enhanced Cable portion of your Bundle promotion now includes one (1) digital box and remote.

Comcast also offers other Digital Value Packages to meet all of your entertainment needs. Our representatives are available 24 hours a day, 7 days a week to answer questions and provide information on a package that may be better suited for you. Please call 1-800-COMCAST for more information.

As always, thank you for being a valued Comcast customer.

Sincerely,

John R. Waddell VF of Sales & Marketing Comcast Northern Division

\*If you currently have a discount on any of your Cable packages, this change in your billing statement will become effective after the discount has expired.





# Sample breakout of format of current charges versus new format of Enhanced Cable.

#### All items in boldface will appear on customers' bills.

| Current Bill       | Charge           | Enhanced Cable Bill (new)            | Charge  |
|--------------------|------------------|--------------------------------------|---------|
| Version 1          |                  |                                      |         |
| Basic              | \$10.00          |                                      | \$10.00 |
| Expanded Basic     | \$34.50          |                                      | \$34.50 |
| Remote control     | \$.25            |                                      | \$.25   |
| Digital box        | \$4.50           |                                      | \$4.50  |
| Total Version 1    | \$49. <b>2</b> 5 | Enhanced Cable Total (shown on bill) | \$49.25 |
| Version 2 HDTV box |                  |                                      |         |
| Basic              | \$10.00          |                                      | \$10.00 |
| Expanded Basic     | \$34.50          |                                      | \$34.50 |
| Remote control     | \$.25            |                                      | \$.25   |
| HDTV box           | \$8.95           | Digital box                          | \$4.50  |
| Total Version 2    | \$53.70          | Enhanced Cable Total (shown on bill) | \$49.25 |
|                    |                  | HD Box (shown separately)            | \$4.45  |
|                    |                  | Total                                | \$53.70 |
| Version 3 with DVR |                  |                                      |         |
| Basic              | \$10.00          |                                      | \$10.00 |
| Expanded Basic     | \$34.50          |                                      | \$34.50 |
| Remote control     | \$.25            |                                      | \$.25   |
| DVR                | \$14.45          | Digital box                          | \$4.50  |
| Total Version 3    | \$59.20          | Enhanced Cable Total (shown on bill) | \$49.25 |
|                    |                  | DVR service                          | \$9.95  |
|                    |                  | Total                                | 859.20  |

Note 1: This table is for illustrative purposes only. Actual, specific rates will vary from community to community based upon the current rates charged in each community.

Note 2: Some customers with bundled packages (video plus CDV, video plus CHSI and CDV, and video plus CDV and CHN) will see a decrease of \$4.75 in order to maintain the bundled rate.





Comcast Cable 676 Island Pond Road Manchester, NH 03109 T: 603-628-1400 F: 603-628-3303 www.comcast.com

May 10, 2006

#### Via Certified Mail Return Receipt Requested

The Honorable Frank Guinta Mayor/Board of Alderman City of Manchester 1 City Hall Plaza Manchester, NH 03101

Dear Mayor and Members of the Board:

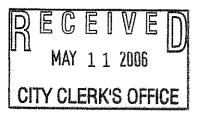
As part of our ongoing efforts to keep you informed about key aspects of our service, I would like to tell you about some important changes that will go into effect on June 20, 2006. Comcast will no longer be providing certain digital packages that are not currently available to all other New England customers, and were originally offered by MediaOne. A minimal number of customers in your community may be affected by this change.

Effective June 20, 2006, these digital packages will no longer be available to customers who are currently receiving them. Over the next few weeks we will be making several attempts to communicate with these customers by mail and by telephone to discuss their digital options. Enclosed are copies of the letters we are sending to affected customers. If for any reason we are unable to reach these customers, they will automatically be moved to either Digital Classic or to our lowest level digital service which provides 46 commercial-free music channels and TV Guide Interactive, depending upon their current level of service. For some, the price of the new package will be less than the price they are currently paying. For all other customers, the price will remain the same.

The affected customers will be instructed to contact Comcast prior to June 20th if they wish to subscribe to one of our <u>current</u> digital packages. In some instances this transition may cause customers to lose some of their existing digital channels.

Because this may result in a change in programming services, customers will have the following options:

- 1) Do nothing and on June 20, the customer's service will change as described. The change will be reflected in the next monthly statement after June 20, 2006.
- 2) Contact a Customer Account Executive at 1-800-COMCAST (266-2278) to discuss available options. The enclosed brochure describes Digital Classic and all of our other digital service options and current prices.
- 3) Depending upon the customer's decision on the level of service, a cable box may not be necessary for the level of service the customer selects. In the event a box is not necessary, the box charge will be removed from the customer's account when the customer returns the box(es) to Comcast.





Manchester, NH Page 2

All affected customers will receive a customer communication regarding these service changes at least 30 days prior to the effective date. Again, please be assured that Comcast will make every reasonable effort to contact these customers to discuss their digital service options.

Comcast is committed to offering the best value in home entertainment and investing in new technology to expand the programming services that we offer, including Comcast High Speed Internet, On Demand and High Definition Television. Should you have any questions about the information contained herein or about our services, please do not hesitate to contact me at 603-889-1363 ext. 3014.

Respectfully,

Bryan Christiansen

Manager of Government and Community Relations

Enclosure

#### Version 1.5: NexTV Multi Enclose Digital Product Brochure



May 2006

#### IMPORTANT INFORMATION ABOUT YOUR COMCAST DIGITAL CABLE SERVICE

Dear Valued Comcast Customer,

We want to let you know about some important changes in our services that will affect your current cable subscription. Our records indicate you currently subscribe to a digital service package(s) originally offered by MediaOne that will no longer be available as of June 20.

A Comcast representative will be contacting you, or you may contact a Customer Account Executive at 1-800-COMCAST (266-2278) any time day or night to review other program service options and make any changes to your subscription. The enclosed brochure describes all of our digital service options and their current prices.

Please note that if we are unable to contact you and do not hear from you before June 20, 2006, you will no longer receive the current digital service(s) on your account. You will continue to receive crystal clear reception, access to 46 commercial-free music channels and TV Guide Interactive through your digital cable box. If you choose not to receive these services, however, you may no longer need a cable box. Please call and speak with one of our Customer Account Executives to determine whether or not a cable box is required to continue viewing any of the programming and features you would like to receive after June 20.

If you no longer require a cable box, please return your cable box to a local service center (you can find your closest service center online at comcast.com). Once we receive your cable box, the monthly charge for the cable box will be removed from your account.

Thank you for choosing Comcast, and we hope you will continue to enjoy the quality programming that we have to offer.

Sincerely,

John R. Waddell VP of Sales & Marketing

<sup>\*</sup> Prices are subject to change and do not include applicable taxes and franchise fees. Please call Comcast for details and restrictions. Additional charge for monthly rental of cable box and remote control may apply.

#### Version 2.5: NexTV Multi Enclose Digital Product Brochure

May 2006

#### IMPORTANT INFORMATION ABOUT YOUR COMCAST DIGITAL CABLE SERVICE

Dear Valued Comcast Customer,

We want to let you know about some important changes in our services that will affect your current cable subscription. Our records indicate you currently subscribe to a digital service package(s) originally offered by MediaOne that will no longer be available as of June 20.

A Comcast representative will be contacting you or you may contact a Customer Account Executive at 1-800-COMCAST (266-2278) any time day or night to review other program service options and make any changes to your subscription.

Please note that if we are unable to contact you and do not hear from you before June 20, 2006, you will no longer receive the current digital service(s) on your account, and you will automatically begin receiving Digital Classic in their place. The retail rate for Digital Classic is \$6.20 per month. The enclosed brochure describes Digital Classic and all of our other digital service options and their current prices.

Also, please note that Digital Classic does not include premium channels, Digital Access, or the Service Protection Plan. (The Digital Access service provides you with reception of premium or digital services on additional outlets and is regularly \$2.75 per month per outlet.) If we do not hear from you before June 20 as to whether you would like to receive Digital Classic on your current additional outlets, you will only receive Standard Cable over these connections. If you choose not to receive Digital Classic on your additional outlets, you may no longer need a cable box on those outlets. Please call and speak with one of our Customer Account Executives to determine whether or not a cable box is required on your additional outlets to continue viewing any of the programming and features you would like to receive after June 20.

If you no longer require a cable box on your additional outlets, please return your cable box to a local service center (you can find your closest service center online at comcast.com). Once we receive your cable box, the monthly charge for the cable box will be removed from your account.

Thank you for choosing Comcast, and we hope you will continue to enjoy the quality programming that we have to offer.

Sincerely,

John R. Waddell VP of Sales & Marketing

<sup>\*</sup> Prices are subject to change and do not include applicable taxes and franchise fees. Please call Concast for details and restrictions. Additional charge for monthly rental of cable box and remote control may apply.

#### <u>Version 3.5: NexTV Multis</u> Enclose Digital Product Brochure



March 2006

#### IMPORTANT INFORMATION ABOUT YOUR COMCAST DIGITAL CABLE SERVICE

Dear Valued Comcast Customer,

We want to let you know about some important changes in our services that will affect your current cable subscription. Our records indicate you currently subscribe to a digital service package(s) originally offered by MediaOne that will no longer be available as of June 20.

A Comcast representative will be contacting you or you may contact a Customer Account Executive at 1-800-COMCAST (266-2278) any time day or night to review other program service options and make any changes to your subscription.

Please note that if we are unable to contact you and do not hear from you before June 20, 2006, you will no longer receive the current digital service(s) on your account and you will automatically begin receiving Digital Classic in their place. The retail rate for Digital Classic is \$6.20 per month. Please note that Digital Classic does not offer any premium channels. The enclosed brochure describes Digital Classic and all of our other digital service options and their current prices.

Thank you for choosing Comcast and we hope you will continue to enjoy the quality programming that we have to offer.

Sincerely,

John R. Waddell VP of Sales & Marketing

<sup>\*</sup> Prices are subject to change and do not include applicable taxes and franchise fees. Please call Comcast for details and restrictions. Additional charge for monthly rental of cable box and remote control may apply.



McGladrey & Pullen, LLP 1 Church St., 8th Fl., New Haven, CT 06510-3332 0 203.773.1909 F 203.773.0591 www.mcgladrey.com

May 16, 2006

Board of Mayor and Alderman City of Manchester One City Hall Plaza Manchester, NH 03101

We are pleased to submit the enclosed information about our June 30, 2006 audit plan and overall audit approach for the City of Manchester (the "City"). We believe our audit plan will satisfy our primary objective of rendering an opinion on the financial statements of the City of Manchester as of June 30, 2006 and for the year then ended.

This letter is intended solely for the information and use of the Board of Mayor and Alderman and the City of Manchester and is not intended to be and should not be used by anyone other than the City.

McGLADREY & PULLEN, LLP

Jeots A. Bassett

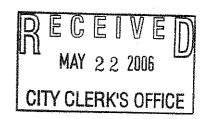
Scott A. Bassett

Partner

Enclosure

Cc:

Kevin Clougherty



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#### **Engagement Objectives**

Our primary objective is to conduct our audit in accordance with auditing standards generally accepted in the United States of America to enable us to express an opinion as to whether the financial statements are fairly presented, in all material respects, in accordance with accounting principles generally accepted in the United States of America. Our audit is planned to provide reasonable, not absolute, assurance that the financial statements are free of material misstatement, whether caused by error, fraudulent financial reporting or misappropriation of assets. We will also conduct an audit so as to satisfy the requirements of Government Auditing Standards issued by the Comptroller General of the United States; the provisions of the Single Audit Act, OMB Circular A-133, and OMB's Compliance Supplement

#### Audit Approach

Our audit approach includes updating an understanding of:

- The City of Manchester's operations. This understanding allows us to concentrate audit efforts on those aspects of the City that are significant to the financial statements.
- Internal control and its component elements. We have made a
  preliminary assessment of control risk and plan to assess control
  risk below the maximum for City payroll and general disbursements,
  tax revenue and the budgeting process.
- Changes to the City's significant information systems during the last vear.
- Fraud risk factors within the City which may be indicative of either fraudulent financial reporting or misappropriation of assets.
- The cumulative audit knowledge we have gained from previous vears' audits.
- New technical accounting and financial reporting requirements that will impact recognition, measurement or disclosure in the June 30, 2006 financial statements.

#### Internal Control and Compliance

Our review and understanding of the City of Manchester's system of internal control is not undertaken for the purpose of expressing an opinion on the effectiveness of its internal control. Rather, it is to assess the impact of internal control on determining the nature, timing and extent of auditing procedures. Recommendations for improving internal control that come to our attention will be summarized for discussion with management and the Board of Mayor and Alderman.



We will issue reports on internal control related to the financial statements and major programs. These reports describe the scope of testing of internal control and the results of our tests of internal controls. Our reports on internal control will include any reportable conditions and material weaknesses in the system of which we become aware as a result of obtaining an understanding of internal control and performing tests of internal control consistent with the requirements of the standards and circular identified above.

We will issue reports on compliance with laws, regulations, and the provisions of contracts or grant agreements. We will report on any noncompliance which could have a material effect on the financial statements and any noncompliance which could have a direct and material effect on each major program. Our reports on compliance will address material errors, fraud, violations of compliance requirements and other responsibilities imposed by Federal statutes and regulations and assumed contracts; and any Federal grant, entitlement of loan program questioned costs of which we become aware, consistent with the requirements of the standards and circular identified above.

**Timing of Procedures** 

The audit will commence in October 2006. Management's adherence to its closing schedule and timely completion of information used by us in performance of the audit is essential to meeting the schedule.

**Engagement Team** 

Scott A. Bassett will be responsible for coordination of audit and other services to the City of Manchester. Scott will be supported by an engagement team consisting of:

- Kristine A. Carling, Manager
- Michael LaRocca, Senior Associate

# Accounting and Reporting Issues

#### New Auditing Standards

#### Pronouncements Issued, Not Yet Effective

The Governmental Accounting Standards Board (GASB) has issued several pronouncements prior to June 30, 2005 that have effective dates that may impact future financial presentations.

Management has not currently determined what, if any, impact implementation of the following statements may have on the financial statements of the City:

- GASB Statement Number 42, "Accounting and Financial Reporting for Impairment of Capital Assets and Insurance Recoveries."
- GASB Statement Number 43, "Financial Reporting for Postemployment Benefit Plans Other Than Pension Plans."
- GASB Statement Number 45, "Accounting and Financial Reporting by Employers for Postemployment Benefits Other Than Pensions."
- GASB Statement Number 46, "Net Assets Restricted by Enabling Legislation – An Amendment of GASB Statement Number 34."
- GASB Statement Number 47, "Accounting for Termination Benefits."

John G. Cronin Admitted in NH and MA



722 Chestnut Street, Manchester, NH 03104 Phone: (603) 624-4333 Fax: (603) 623-5626 www.croninbisson.com

April 20, 2006

Board of Mayor and Aldermen c/o Leo Bernier, City Clerk City of Manchester One City Hall Plaza Manchester, NH 03101

Re:

Zoning Change 603 Holt Avenue Map 716, Lot 38

Dear Board of Mayor and Aldermen:

Enclosed herewith please find the Petition for Rezoning, together with the filing fee, concerning the above referenced property on behalf of our client, 127 Elm Street, LLC. The petition seeks rezoning of the subject property to residential use.

Please let us know if you require further information, or have any questions. Thank you for your consideration.

By:

Sincerely yours,

CRONIN & BISSON, P.C.

JGC:lma Enclosure John G. Cronin

REGETVED

APR 21 2006

CITY CLERK'S OFFICE

#### STATE OF NEW HAMPSHIRE CITY OF MANCHESTER

#### 127 Elm Street, LLC

#### PETITION FOR REZONING

NOW COMES the Petitioner, 127 Elm Street, LLC, by and through its attorneys, Cronin & Bisson, P.C., and petitions the Board of Mayor and Aldermen of the City of Manchester, in accordance with Article 16 of the City of Manchester Zoning Ordinance, to amend the Zoning Map regarding a certain parcel of land located at 603 Holt Avenue, County of Hillsborough, City of Manchester and identified as Map 716, Lot 38 in the tax records for the City of Manchester. In support hereof, Petitioner states as follows:

- 1. Lorraine and Edwin Hartshorn are the owners of record of a parcel of undeveloped real property located at 603 Holt Avenue and identified as Map 716, Lot 38 in the tax records of the City of Manchester (the "Property"). Edwin Hartshorn is deceased, leaving Lorraine Hartshorn as the sole owner.
  - 2. The Property is approximately three acres and is located in the industrial zone.
- 3. Although zoned industrial, the Property is located directly across Holt Avenue from a residential condominium development.
- 4. The property elevation changes dramatically from abutting industrial zoned properties and lies in close proximity to wetland areas.
- 5. The Petitioner, 127 Elm Street, LLC, as agent for the owner, seeks to change the zoning classification for the property from industrial to residential with the ultimate goal of construction of a residential condominium development similar to the existing development on Holt Avenue. (A letter of authorization from the record owner is attached as Exhibit A).
- 6. A copy of the City tax map showing the Property as situated in the industrial zone is attached as Exhibit B.

- 7. The proposed change would have little impact within the district since the Property's topography and proximity to wetlands and residential development make it difficult to develop for industrial use. In addition, a residential condominium development would be more consistent with the existing area.
- 8. The current zoning of "Industrial" is not compatible with the existing neighborhoods adjacent to the subject property. If the property were developed for an industrial use, it would create a detrimental impact of the neighboring residential properties.
- 9. Based on the anticipated market for residential condominiums in this area of the City and the number of units which could potentially be developed on the site, the proposed change should ultimately be tax positive for the City. Since the City is already servicing the existing residential condominiums in the area, there will likely be little net increase in the demand for City services as a result of the proposed change in zoning classification.
- 10. The names, addresses, tax map number and lot number of all abutting property owners and all properties on the opposite side of Holt Avenue is attached as Exhibit C.
- 11. In light of the support set forth in this petition, the Petitioner respectfully requests that the Honorable Board of Mayor and Aldermen approve this request to change the Zoning Map classification of 603 Holt Avenue to residential.

Respectfully submitted,

127 Elm Street, LLC

By its Attorneys,

CRONIN & BISSON, P.C.

By:

John G. Cronin

722 Chesthut Street

Manchester, New Hampshire 03104

-(603)624-4**3**/33

Dated: April 20, 2006

# Ms. Lorraine Hartshorn Mr. Edwin Hartshorn

April 18, 2006

To Whom it May Concern:

We, the undersigned, being owners of the real property sometimes referred as Map 716, Lot 38, located on Holt Avenue in Manchester, New Hampshire, hereby grant our authority to 127 Elm Street, LLC to take any and all action required or deemed necessary to re-zone the property from "Industrial" to Residential."

Thank you.

Sincerely,

deceased

Edwin Hartshorn



### **Abutter List**

Map 716 Lot 0038 603 Holt Avenue Manchester, NH

| Map / Lot                   | Property Owner  | Property Owner Address                             |  |
|-----------------------------|---|--|--|
| Subject Property 716 / 0038 | Lorraine Hartshorn  | 21 Mammoth Road<br>Hooksett, NH 03106              |  |
| 716 / 0036A                 | Boy Scouts of America   | 571 Holt Avenue<br>Manchester, NH 03109            |  |
| 716 / 0036B                 | Boy Scouts of America   | 571 Holt Avenue<br>Manchester, NH 03109            |  |
| 717 / 0013A                 | Arcidy Realty   | 520 E. Industrial Park Dr.<br>Manchester, NH 03109 |  |
| 717 / 0001A                 | Harvey Industries Inc.  | 1400 Main Street<br>Waltham, MA 02451              |  |
| 478 / 0002                  | Eastgate Apt. Assoc. Ltd. Partnership                                       | 540 N. Commercial Street<br>Manchester, NH 03101   |  |
| 478 / 0003L                 | Eastwood Homeowner's Assoc.<br>c/o David Hamilton, President                | 31 Eastwood Way<br>Manchester, NH 03109            |  |
| 478 / 0003Q                 | Eastwood Homeowner's Assoc.<br>c/o Sheryl Petra, Chairperson &<br>Treasurer | 53 Eastwood Way<br>Manchester, NH 03109            |  |
| 478 / 0003G                 | Eastwood Homeowner's Assoc. c/o Amber Heroux, Chairperson                   | 32 Eastwood Way<br>Manchester, NH 03109            |  |



# CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

**MEMORANDUM** 

To:

R. MacKenzie, Director

Planning & Community Development

From:

Paula L-Kang

Deputy Clerk

Date:

April 24, 2006

Re:

Rezoning Petition

603 Holt Avenue (Map 716, Lot 38)

Enclosed please find a copy of a proposed rezoning amendment relative to the above-referenced.

Per policy adopted December 2, 2003 the Planning Department is to conduct a technical review and report back within 15 days to this department. Also, your department is to provide copies of the petition to the Building Department, City Solicitor and Planning Board who have 30 days to provide comments to the City Clerk's Office.

#### Enclosures

pc:

P. Goucher



# Robert S. MacKenzie, AICP

### CITY OF MANCHESTER

#### **Planning and Community Development**

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commision
Millyard Design Review Committee

May 10, 2006

Mr. Leo Bernier, City Clerk City of Manchester One City Hall Plaza Manchester, NH 03101

Re:

Technical Review, Rezoning Petition - Holt Avenue

Dear Mr. Bernier:

In accordance with the procedures on rezoning requests, the following information is being provided to your office in consideration of a rezoning request filed by agents for the owners of property on Holt Avenue (Lot 716-38). The subject parcel involves one parcel (that is proposed to be subdivided) on the southern side of Holt Avenue between East Industrial Park Drive and Waverly Street. It is 3.9+ acres in size, with a single-family residence. The subject property is currently zoned *Industrial (IND)*. The applicant is requesting that the zoning district be changed to Multi-family Residential (*R-SM*).

Presently, the land across the street from the site is zoned R-SM and includes townhouse units including Eastgate Apartments. As such, the proposal would be an extension of an existing zoning district rather than the creation of a new one. The proposal for the land, if rezoned, would be for townhouse units, which are permitted in the R-SM district. The 1993 Master Plan for the City of Manchester does not show the existing R-SM land in this area or proposed expansions of it.

From a technical perspective, the petition may be forwarded to the Board of Mayor and Aldermen for consideration. Additional information may be required prior to the hearing as identified in 16.02 of the Manchester Zoning Ordinance. Consistent with the policy for rezoning petitions, the planning staff is providing a copy of the petition to the Planning Board, the Building Department and the Office of the City Solicitor for comment. Given that the land to be rezoned is currently Industrial, I have also begun discussions with the Director of Economic Development to gain his perspective on the change.

Please let me know when this will be referred to the Board of Mayor and Aldermen for consideration so that I will be available to answer questions.

Sincerely,

Robert S. MacKenzie, AICP

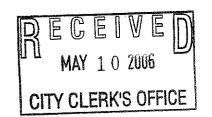
Planning Director

C: Planning Board

Office of the City Solicitor
Building Department

Economic Development Office

One City Hall Plaza, Manchester, New Hampshire 03101 Phone: (603) 624-6450 Fax: (603) 624-6529 E-mail: planning@ManchesterNH.gov www.ManchesterNH.gov



#### Short Title Rezoning Petition Holt Avenue

"Amending the Zoning Ordinance of the City of Manchester by extending the R-SM (Residential Suburban Multi-Family) zoning district to include property currently zoned IND (Industrial) located on the south side of Holt Avenue between East Industrial Park Drive and Waverly Street and known as Tax Map 716, Lot 38."



# CITY OF MANCHESTER DEPARTMENT OF BUILDINGS

One City Hall Plaza Manchester, New Hampshire 03101 Tel: (603) 624-6475 Fax: (603) 624-6324



Matthew M. Sink
Deputy Bldg. Commissioner

Date:

May 25, 2006

To:

Leo R. Bernier, City Clerk

From:

Leon L. LaFreniere, Building Commissioner

Subject:

Proposed Changes to Permit Fee Schedules, Plumbing & Electrical Codes

Please find attached proposed building code changes designed to modify existing permit fee schedules, as well as to update the adopted editions of the Plumbing and Electrical codes currently enforced. I would request that these proposed changes be placed on the upcoming Board of Mayor and Aldermen agenda for their consideration and referral to appropriate committees and the setting of a public hearing.

Thank you for your assistance with this matter.



In the year Two Thousand and Six

#### AN ORDINANCE

"Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers."

BE IT ORDAINED, By the Board of Mayor and Alderman of the City of Manchester, as follows:

I. Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers attached and included herein and as further amended as follows:

SECTION 1. Certain documents, three (3) copies of each which are on file in the office of the City Clerk of the City of Manchester being marked and designated as the *International Plumbing Code*, 2000 Edition, as published by the International Code Council, Inc., be and is hereby adopted as the *Plumbing Code* of the City of Manchester in the State of New Hampshire and hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes prescribed in Section 2 of this Ordinance.

**SECTION 2.** The following sections are hereby revised as follows: (Note: Deleted text shows as struck through; new text shown italicized.)

**Section 151.01** 

The following amendments shall be made part of the Plumbing Code:

2000 International Plumbing Code

Section 312.3 Drainage and Vent Air Test. Amend by adding to the second sentence: "This pressure shall be held for a test period of at least 15 minutes "by using a low pressure (0-5 lbs.) gauge".

Section 419 Urinals. Amend by adding a new subsection: "419.4 Public and Employee Facilities" "Urinals without visible water trap seals shall not be permitted in public or employee restrooms."

Section 501.2 Water Heater as Space Heaters. Amend the first sentence to read as follows: "Where a combination potable water heating and space heating system requires water for space heating at temperatures higher than  $140^{0}$  F ( $60^{0}$  C), a tempering valve shall be provided to limit the water supplied to the potable hot water distribution system to a temperature of 140 F (60 C)  $130^{0}$  F ( $54.4^{0}$  C) maximum."

In the year Two Thousand and Six

#### AN ORDINANCE

"Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers."

BE IT ORDAINED, By the Board of Mayor and Alderman of the City of Manchester, as follows:

<u>Section 501.6 Water Temperature Control in Piping from Tankless</u>. Amend the first sentence to read as follows:

The temperature of water from tankless water heaters shall be a maximum of  $140^{\theta}$  F ( $60^{\theta}$  C)  $130^{\circ}$  F (54.4 C) when intended for domestic uses and shall be accomplished with the use of a mixing valve conforming to ASSE 1017.

#### Section 501.8 Temperature Controls. Amend to read as follows:

"All hot water storage and supply systems shall be set to a minimum of  $140^{\circ}$  F ( $60^{\circ}$  C), and shall be equipped with automatic temperature controls and a mixing valve conforming to ASSE1017 to limit the water supplied to the potable hot water distribution system to a temperature of  $130^{\circ}$  F ( $54.4^{\circ}$  C) maximum."

#### Section 504.1 Antisiphon Devices. Amend to read as follows:

"An approved means, such as a cold water "dip" tube with a hole at the top or a "A" vacuum relief valve installed in the cold water supply line above the top of the heater or tank shall be provided to prevent siphoning of any storage water heater or tank.

<u>Table 605.4 Water Service Pipe.</u> Amend line 5 to read as follows: Copper or copper-alloy tubing (Type K, WK, L, WL, M OR WM).

Table 605.5 Water Distribution Pipe. Amend line 4 to read as follows: Copper or copper-alloy tubing (Type K, WK, L, WL, M-or WM).

<u>Table 702.2 Underground Building Drainage and Vent Pipe.</u> Delete lines 5 and 7 in their entirety and amend line 9 to read as follows: Copper or copper alloy tubing (Type K, L, M or DWV).

Section 905.6 Vent for Future Fixtures. Amend by deleting entire paragraph and replacing it with the following:

"Within any habitable or occupiable spaces at the lowest level of a structure where plumbing fixtures are not installed, there shall be made available an accessible vent connection, not less than 2" in diameter, which is properly connected to the vent system to provide for future venting."

<u>Section 912.2 Combination Drain & Vent System.</u> Amending the first sentence to read as follows:

A combination drain and vent system shall not serve fixtures other than floor drains, standpipes, sinks and lavatories "and may be installed only when approved by the Authority having jurisdiction."





In the year Two Thousand and Six

#### An Ordinance

"Repealing the 1993 BOCA National Plumbing Code as adopted in Section 151.01 of the City of Manchester Code of Ordinances and adopting the 2000 edition of the *International Plumbing Code* as amended by the State of New Hampshire Board of Licensing and Regulation of Plumbers."

BE IT ORDAINED, By the Board of Mayor and Alderman of the City of Manchester, as follows:

<u>Section 917 Air Admittance Valves.</u> Delete Sections 917.2 through 917.8 and amend 917.1 to read as follows:

"Vent systems utilizing air admittance valves shall be allowed only where part of an engineered system designed by an engineer, licensed to practice in New Hampshire, or as approved by the Authority having jurisdiction."

II. This Ordinance shall take effect upon its passage.



# AMENDMENTS To the 2000 International Plumbing Code effective August 13, 2004

#### CHAPTER Plu 700 STATE PLUMBING CODE

#### PART Plu 701 NATIONAL CODE REFERENCE

Plu 701.01 <u>International Plumbing Code.</u> As per RSA 329-A:15, I and II, the board hereby adopts by reference the International Plumbing Code, 2000 Edition, as published in cooperation with the Building Officials and Code Administrators International, Inc., the International Conference of Building Officials, and the Southern Building Code Congress International, Inc., as amended by Plu 701.02.

Plu 701.02 New Hampshire Amendments to the International Plumbing Code. The following amendments shall apply to the code incorporated:

101.0 Title. These regulations shall be known as the *International Plumbing Code* of *New Hampshire* hereinafter referred to as "this code".

**101.2 Scope** . The provisions of this code shall apply to the erection, installation, alteration, repairs, relocation, replacement, addition to, use or maintenance of plumbing systems within this jurisdiction. The installation of fuel gas distribution piping and equipment, fuel gas-fired water heaters, and water heater venting systems shall be regulated by the *International Fuel Gas Code*. Provisions in the appendices shall not apply unless specifically adopted.

104.2 Rule-Making Authority. The code official shall have authority as necessary in the interest of public health, safety and general welfare to adopt and promulgate written rules and to interpret and implement the provisions of this code to secure the intent thereof and to designate requirements applicable because of local climatic or other conditions. Such rules shall not have the effect of waiving structural or fire performance requirements specifically provided for in this code, or of violating accepted engineering practice involving public safety.

106.6.2 Fee schedule. The fees for all plumbing work shall be as indicated in the *Administrative Rules Plu 306.01 and/or by local jurisdiction.* 

106.6.3 Fee refunds . Delete this section in its entirety.

108.4 Violation penalties. Any person who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter or repair plumbing work in violation of the approved construction documents or directive of the code official, or of a permit or certificate issued under the provisions of this code, shall be subject to the penalties prescribed by RSA 155-A:8 and RSA 329-A:18,II.

108.5 Stop work orders. Upon notice from the code official, work on any plumbing system that is being done contrary to the provisions of this code or in a dangerous or unsafe manner shall immediately cease. Such notice shall be in writing and shall be given to the owner of the property, or, to the owner's agent, or to the person doing the work. The notice shall state the conditions under which work is authorized to resume. Where an emergency exists, the code official shall not be required to give a written notice prior to stopping the work. Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall comply with RSA 155-A:8 and RSA 329-A:17.

K

305.6.1 Sewer depth. Building sewers that connect to private sewage disposal systems shall conform to RSA 485-A relative to minimum depth below finished grade. Building sewers that connect to public sewers shall be a minimum depth of 4 feet below grade or adequately insulated to afford the same protection whenever a condition arises that the 4 feet cannot be attained.
403.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

#### **Exceptions**

- 1. Separate facilities shall not be required for private facilities.
- 2. Separate employee facilities shall not be required in occupancies in which 15 or less people are employed.
- 3. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both the employees and customers, of 15 or less.
- 4. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 50 or less.
- 5. Separate facilities shall not be required in assembly occupancies that serve food with a total occupant load, including both employees and customers of less than 25.
- **605.12.2 Solvent cementing.** Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564 or CSA CAN/CSA-B137.3 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.
- **701.2 Sewer required.** Every building in which plumbing fixtures are installed and all premises having drainage piping shall be connected to a public sewer, where available, or an approved private sewage disposal system in accordance with **RSA 485-A:29-44**.
- **705.8.2 Solvent cementing.** Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA CAN/CSA-B137.3, CSA CAN/CSA-B181.2 or CSA CAN/CSA-B182.1 shall be applied to all joint surfaces. The joint shall be made while the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.
- **705.14.2 Solvent cementing.** Joint surfaces shall be clean and free from moisture. A purple primer that conforms to ASTM F 656 shall be applied. Solvent cement not purple in color and conforming to ASTM D 2564, CSA CAN/CSA-B137.3, CSA CAN/CSA-B181.2 or CSA CAN/CSA-B182.1 shall be applied to all joint surfaces. The joint shall be made when the cement is wet and shall be in accordance with ASTM D 2855. Solvent-cement joints shall be permitted above or below ground.
- **904.1 Roof extensions.** All open vent pipes that extend through a roof shall be terminated at least **12**" above the roof, except that where a roof is to be used for any purpose other than weather protection, the vent extension shall be run at least 7 feet (213 mm) above the roof.

In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 1 Administration of the Building Code of the City of Manchester providing for increased fees"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Section 108 FEES of the Building Code of the City of Manchester is hereby amended as follows: (Note: Old text shown as struck-through; new text shown italicized.)

108.8 Fee Schedule

- 1) Building Permits
  - (B) For all other new buildings and structures, and additions to existing buildings and structures, the permit fee shall be the estimated cost of the work multiplied by .008 .010.
- 8) Heating/Cooling Equipment

Adding a new sub-section:

- E) Ventilation ductwork:
- 1) up to 400 CFM \$15.00 2) each additional 400 CFMs - \$10.00
- 9) Plumbing
  - A) For each fixture installed or replaced \$4.00 \$5.00

NOTE: The following shall be deemed to be separate fixtures:

- \* Each water closet, lavatory, dishwasher, washing machine connection, water filter, water cooler, garbage disposal, sump pump, ejector pump, sterilizer or dental chair
- \* Each combination fixture
- \* Each 1,2, or 3 compartment sink
- \* Each 3 feet or fraction thereof of gang shower length
- \* Each interior or exterior drain





In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 1 Administration of the Building Code of the City of Manchester providing for increased fees"

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- 12) Elevators, Escalators, Amusement Devices & Special Equipment
  - A) Elevators

#### Adding a new subsection:

(3) Initial compliance inspection for devices not subject to State of New Hampshire permitting

\$150.00

II. This Ordinance shall take effect upon its passage.

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In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code Of Ordinances of the City of Manchester providing for increased fees."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. The following Chapters of the City of Manchester Code of Ordinances are hereby amended as follows: (Note: old text shown as struck-through, new text shown italicized.)

Chapter 150 Housing Code

#### Section 150.114 Fees; Exemptions

- (A) The following fees shall be charged by the Department:
- Application fee \$15 \$25 per dwelling unit or rooming unit as part of each application for a certificate of compliance.
- 2) Inspection Fee
  - (a) Dwelling unit \$25.00 \$35.00 per unit for each inspection to determine compliance; (b) Rooming unit \$10.00 \$15.00 per room for each inspection to determine
- compliance;
- 3) Re-inspection. For reinspection of a building:
  - (b)  $2^{\text{nd}}$  and subsequent reinspections -\$20.00 \$25.00
  - (c) In addition, after a second reinspection, the fee shall increase by \$5.00 10.00 for each subsequent reinspection
- 4) Unaccompanied inspection or reinspection \$30.00 \$50.00 for each inspection or reinspection at which a building owner or his representative is not present unless such arrangement has been agreed to in advance
- 5) Transfer of Ownership \$25.00 \$35.00 per certificate to assign a certificate of compliance to a new owner
- 6) Replacement of certificate and permit \$15.00 \$25.00 per document for replacing an existing certificate of compliance, interim rental permit or transfer permit
  - 7) Transfer Permit. Each application for a transfer permit:
    - a) One to four dwelling or rooming units \$100.00 \$125.00
    - b) Five to eight dwelling or rooming units \$200.00 \$250.00
    - c) in addition, each unit in excess of eight units \$15.00 \$25.00 per unit



In the year Two Thousand and Six

#### An Ordinance

"Amending Chapter 150 Housing Code, Subsection 150.114 and Chapter 155 Zoning Code, Subsection 155.02 of the Code Of Ordinances of the City of Manchester providing for increased fees."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

- 8) Special Inspections \$60.00 \$100.00 for each inspection and each additional unit over 4 units \$15.00 \$25.00
- 9) Extended Terms -\$25.00 \$50.00 per certificate to extend the expiration date of a certificate pursuant to an action of the Board.

#### Chapter 155 Zoning Code

#### 155.02 Fees for Appeal to Board of Adjustment

The following fees are hereby established for variance applications and special exception Zoning Board of Adjustment applications:

Change of use variance -\$250 \$350
Multi-use variance -\$250 \$350
Planned developments -\$250 \$350
Nonconforming subdivisions -\$250 \$350
Unaccepted way -\$80 \$350
All others -\$80 variances, special exceptions, administrative appeals, equitable waivers - \$150
Resubmittal by applicant -\$10
Rehearing by abutter -\$80 and subsequent application requests -\$35
Rehearing by applicant - same as original appeal

II. This Ordinance shall take effect upon its passage.

In the year Two Thousand and Six

#### A RESOLUTION

"Amending the FY 2001, 2002, and 2006 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Hundred Seventy Seven Thousand Six Hundred Fifty Dollars (\$177,650) for various CIP Projects."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2001, 2002, and 2006 CIP as contained in the 2001, 2002, and 2006 CIP budgets; and

WHEREAS, Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant, and HOME funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to provide funding for several City projects as well as assist Easter Seals with the remediation of water damage to its facility on Auburn Street and;

WHEREAS, funds are available from existing CIP Projects and Unprogrammed CIP funds;

NOW, THEREFORE, be it resolved that the 2001, 2002, and 2006 CIP be amended as follows:

#### 1) By decreasing:

a) 2001 CIP 340101 Manchester Community Resource Center - \$ 74,250 CDBG b) 2002 CIP 310102 Expansion of MCRC - \$ 14,575 CDBG c) CIP Unprogrammed funds - \$ 88,825 CDBG

#### 2) By increasing:

- a) 2006 CIP 711306 Chronic Drain \$20,000 CDBG increasing the budget from \$35,000 to \$55,000 (\$35,000 Cash & \$20,000 CDBG)
- b) 2006 CIP 610606 Housing Rehabilitation/Lead Paint \$20,000 CDBG increasing the budget from \$205,604 to \$225,604 (\$205,604 Other & \$20,000 CDBG)
- c) 2006 CIP 612406 Neighborhood Revitalization \$38,825 CDBG increasing the budget from \$150,000 CDBG to \$188,825 CDBG

#### 3) By adding:

- a) 2006 CIP 214406 Easter Seals Water Damage Remediation Project \$10,000 CDBG
- b) 2006 CIP 310306 MCRC Basement Retrofitting \$88,825 CDBG

Resolved, that this Resolution shall take effect upon its passage.

In the year Two Thousand and Six

#### A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Two Hundred Dollars (\$1,200) for the 2006 CIP 214506 – Senior Wellness Funding Initiative Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of Federal, State and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept funding in the amount of \$1,200 from the State of New Hampshire Department of Health & Human Services for the implementation of the Senior Wellness Funding Initiative Program;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

#### By adding:

FY2006 CIP 214506 - Senior Wellness Funding Initiative Program - \$1,200 State

Resolved, that this Resolution shall take effect upon its passage.

## City of Manchester New Hampshire

In the year Two Thousand and Six

## A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the FY2006 CIP 612606 Citywide Marketing Plan Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funds in the amount of \$25,000 from New Hampshire Department of Resources & Economic Development (DRED) to implement a Citywide Marketing Plan for the purpose of attracting business investment and;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

## By increasing:

FY2006 CIP 612606 Citywide Marketing Plan Program - \$25,000 Other From \$15,000 (\$15,000 - MDC) to \$40,000 (\$15,000 MDC & \$25,000 DRED)

Resolved, that this Resolution shall take effect upon its passage.

## City of Manchester New Hampshire

In the year Two Thousand and Six

## A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Thousand Dollars (\$60,000) for FY2006 CIP 713406 Watershed Restoration Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$60,000 from the New Hampshire Department of Environmental Services for improvements to Nutts Pond Watershed Project;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

## By adding:

FY2006 CIP 713406 - Watershed Restoration Project - \$60,000 State

Resolved, that this Resolution shall take effect upon its passage.



The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the Board of Assessors abatement and overlay account updates and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,

Shell Berner

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the City's Monthly Financial Statements (unaudited) for the ten months ended April 30, 2006 for FY2006 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,

L.A. Berner

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the City's Quarterly Financial Statements (unaudited) for the nine months ended March 31, 2006 for FY2006 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,

Clerk of Committee

Lull Pernier

The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted the following Finance Department reports:

- a) department legend;
- b) open invoice report over 90 days by fund;
- c) open invoice report all invoices for interdepartmental billings only;
- d) open invoice report all invoices due from the School Department only;
- e) listing of invoices submitted to City Solicitor for legal determination; and
- f) accounts receivable summary.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,

LA Renner



The Committee on Accounts, Enrollment and Revenue Administration respectfully advises, after due and careful consideration, that it has accepted a summary of CIP project balances as of March 31, 2006 and is forwarding same to the Board for informational purposes.

(Note: available for viewing at the Office of the City Clerk and previously forwarded to the Mayor and Aldermen.)

(Unanimous vote)

Respectfully submitted,



The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinances of the City of Manchester."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

IN Berner

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, a request for reorganization of the management structure of the Health Department, which now provides for the reclassification of two positions and the establishment of one full-time position be approved, and for such purpose advising that it has submitted Ordinance:

"Amending Section 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinances of the City of Manchester."

outlining abolishment and establishment of various positions relating to this reorganization and having approved same recommends that this ordinance be referred to the Committee on Bills on Second Reading for technical review.

(Aldermen Shea, Garrity, Pinard and Duval voted yea; Alderman Gatsas voted nay.)

| At a meeting of the Board<br>held March 21, 2006 |       | ermen<br>O'Neil | Respectfully submitted, |
|--|-------|-----------------|-------------------------|
| duly seconded by Ald.                            |       | the report      | Lo R. Berner            |
| of the Committee was ac                          |       | commendations   | Clerk of Committee      |
| (edopted) (denied)                               | Phlan | n               |                         |



## City of Manchester New Hampshire

In the year Two Thousand and

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## AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

## SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Abolish Deputy Public Health Director Establish Public Health Administrator

## SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Abolish Deputy Public Health Director, Grade 25 Establish Public Health Administrator, Grade 24, exempt Reclassify (1) Public Health Specialist III, Grade 21 to Public Health Administrator, Grade 24

## SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Abolish Deputy Public Health Director, Class Code 7107 Establish Public Health Administrator, Class Code 7114

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



## City of Manchester, New Hampshire

## **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Public Health <del>Preparedness</del> Administrator |
|-------------------|---|
| Class Code Number | 711 <b>4</b> -23-24                                 |

## General Statement of Duties

Establish strategic leadership, direction, coordination and assessment of activities pertaining to bioterrorism, infectious *and chronic* disease outbreaks and other public health threats and emergencies. Plans, directs, coordinates and supervises all environmental public health activities as assigned, to the Manchester Health Department; performs directly related work as required.

## Distinguishing Features of the Class

The principal function of an employee in this class is to ensure that all environmental public health concerns are addressed according to professional standards and that environmental laws are enforced. The work is performed under the supervision and direction of the Public Health Director but extensive leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees within a major division, or divisions within the Department the classes of Environmental Health Specialist I and II, Public Health Specialist I and II. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with City officials, business owners or managers, other City employees and the public. The principal duties of this class are performed both indoors and outdoors, often in hazardous situations.

## Examples of Essential Work (illustrative only)

- Assess public health system capacities by conducting an integrated assessment of public health and legal system capacities;
- Assist in the development of a statewide emergency response plan including mutual aid agreements, and the provision for regular exercises to test response proficiency;

- Develop a city/regional plan to respond to acts of bio-terrorism, infectious disease outbreaks and other public health threats and emergencies;
- Coordinate with federal response assets to develop a plan to receive and manage items from the National Pharmaceutical Stockpile;
- Maintain De velop a formal system to receive and evaluate urgent disease reports from all parts of the state and city on a 24 hour per day, 7 day per week basis;
- Rapidly and effectively investigate and respond to a potential terrorist event, or other public healththreat, as evidenced by ongoing response to naturally occurring individual cases of urgent public health importance;
- Develop and implement a jurisdiction-wide program to provide rapid and effective laboratory services by assisting the State Public Health Laboratory in improving relationships with clinical laboratories in Manchester and establish operational relationships with the Manchester Fire and Police Departments to provide laboratory support;
- Plan Coordinate a Health Alert Network that provides a 24/7 flow of critical health information among hospital emergency departments, state and local health departments, City agencies and others;
- Ensure ongoing protection of critical data and secure exchange of information by assessing and developing policies and procedures for protection of critical information and continuity of operations;
- Provide needed health/risk information to the public and key partners during a terrorism event or other public health emergency;
- Deliver appropriate education and training to key public health professionals, infectious disease specialists, emergency department personnel and other health care providers;
- Plans, directs, coordinates and supervises public environmental health activities involving multiple programs;
- Performs environmental health, industrial hygiene, sanitary, disease control and epidemiological inspections;
- Investigates complaints and inspection problems resolving them via standards, regulations and policies;
- Initiates and reviews inspection public health reports, including communicable and chronic disease studies:
- Initiates enforcement proceedings and testifies at legal proceedings;
- Reviews and authorizes issuance of permits and licenses;
- Reviews and approves complex septic system plans;
- Performs environmental health specialist duties as needed;
- Evaluates and recommends public health standards and legislation;
- Advises governmental, community organizations and individuals on environmental health, technical standards and departmental services;
- Plans and conducts professional level environmental and public health education training programs;
- Performs supervisory and personnel tasks relating to the division;
- Prepares, analyzes, reviews and critiques reports, records, correspondence, statistical data and related records;
- Assumes responsibilities of the Public Health Director as needed;

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- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning
  work progress, including present and potential work problems and suggestions for new or
  improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.
- Plans, develops and coordinates public health policies and procedures;
- Coordinates all aspects of the Public Health Improvement/Community Assessment Division;
- Coordinates all Federal and other grant programs of the Department;
- Confers with Department staff to track implementation of policies and make specific recommendations and suggestions on Division or Departmental operations;
- Coordinates various committees relating to community health issues, including the "Healthy Manchester Coordinating Council;
- Develops interventions to meet community needs, including creating evaluation methods to assess progress of interventions;
- Collects and organizes data to identify community health needs;
- Conducts studies and surveys to assess community health needs;
- Organizes community support for public health activities;
- Performs special projects for the Public Health Director as requested;
- Serves as the Public Health Director during an absence;

## Required Knowledge, Skills and Abilities (at time of appointment)

- Comprehensive knowledge of the practices, principles and methods of environmental and public health administration;
- Thorough knowledge of environmental *public* health practices, bioterrorism and industrial hygiene disease prevention principles;
- Thorough knowledge of epidemiology, communicable diseases control, and insect vector control practices;
- Thorough knowledge of applicable Federal, State and Municipal laws and regulations related to environmental and public health;
- Thorough knowledge of and ability to complete complex septic system design and inspection reviews;
- Thorough knowledge of hygiene matters and indoor air quality issues;
- Thorough knowledge of supervisory practices and techniques;

- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Thorough knowledge of disease control programs;
- Thorough knowledge of preventative initiatives in public health areas;
- Thorough knowledge of current principles and practices of public administration;
- Thorough knowledge of budgetary principles within a municipality;
- Thorough knowledge of public/media relations principles;
- Ability to provide administrative direction within a municipal Department;
- Ability to analyze environmental public health situations, to interpret findings in relation to public health, and to recommend effective and appropriate measures of control of environmental hazards;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Some knowledge of labor relations, public relations, and budget activities;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

## Acceptable Experience and Training

- Graduation from an accredited college or university with a Master's Degree in Environmental Sciences, Public Health or a closely related field; and
- Considerable experience in public or environmental health work, including some supervisory role; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

## Required Special Qualifications

- New Hampshire Designer of Subsurface Disposal System License;
- Valid New Hampshire Driver's License.

## **Essential Physical Abilities**

• Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;

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- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to function in review a wide variety of material in both electronic and hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to function in operate a personal computer and related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to function in have access to various work sites throughout the City.

| Approved by:      | BMA      | Date: | 11/19/02 |
|-------------------|----------|-------|----------|
| Date Established: | 11/19/02 |       |          |



## CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza Manchester, New Hampshire 03101-4000 Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065



January 31, 2006

Alderman Ted Gatsas, Chairperson Human Resource and Insurance Committee City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Request for Reorganization and Reclassifications, Health Department

Dear Alderman Gatsas and Members of the Committee:

On behalf of Fred Rusczek, Director, Health Department, I am requesting a minor reorganization of the management structure of the Health Department, the reclassification of two positions, the establishment of one full time position and one part time position. If approved, this request would also include the elimination of the class specification and position of Deputy Public Health Director as well as the elimination of the class specification Public Health Preparedness Administrator.

If approved, this reorganization would eliminate one level of management. As you will note from the current organizational chart, the current structure has three tiers of administrative management. The proposed structure, reduces the reporting levels to two within the administrative areas. The Deputy Director position would be eliminated and the duties that have been assigned to that classification, would be divided and shared by two current administrative positions. Specifically, one Public Health Specialist III, salary grade 21 position, and the Public Health Preparedness Administrator position, salary grade 23, would be reclassified to a new class specification titled Public Health Administrator, salary grade 24. Please see proposed organization chart dated, January 2006. In the absence of the Director, one or the other of these positions would be responsible for management of the Department.

The establishment of one full time Public Health Specialist II, salary grade 19, and one half time Customer Service Representative II, salary grade 12 will be assigned to the Community Epidemiology and Disease Prevention Division and School and Youth Health Divisions respectively. The authorization of the Public Health Specialist position will be to meet pressing public health needs.



This proposed reorganization will not cost the City any additional funds. Rather, the net savings will be \$8,615.

In summary the proposed reorganization would result in the following changes:

- Abolish the Deputy Public Health Director position
- Establish new class specification, Public Health Administrator
- Reclassify Public Health Specialist III to Public Health Administrator
- Reclassify Public Health Preparedness Administrator to Public Health Administrator
- Establish one full time Public Health Specialist II position
- Establish one part time Customer Service Representative II position
- Abolish Public Health Preparedness Administrator class specification

I am attaching a copy of the current organizational chart as well as the proposed organizational chart. Also attached is the proposed Public Health Administrator class specification as well as the financial information for this reorganization.

Your favorable approval of these requests would be greatly appreciated.

Respectfully submitted, Nuquio a. Lamberder

Virginia A. Lamberton Human Resources Director

Cc: Fred Rusczek, Director

Attachments



## CITY OF MANCHESTER Department of Health

1528 Elm Street
Manchester, NH 03101-2106
Telephone: (603) 624-6466
Administrative FAX: (603) 628-6004
Community Health FAX: (603) 665-6894
School FAX: (603) 624-6584
www.ManchesterNH.gov

BOARD OF HEALTH

Nicholas Skaperdas, D.M.D., Clerk Jazmin Miranda-Smith, M.Ed. Carol Bednarowski Laura Smith Emmick, M.D. Mary Mongan, R.N.

Frederick A. Rusczek, M.P.H. Public Health Director

Richard DiPentima, R.N., M.P.H. Deputy Public Health Director

January 24, 2006

Virginia Lamberton, Director Human Resources Department One City Hall Plaza Manchester NH 03101

RE: Reorganization of Health Department to Deal with Impending Retirement of Deputy Director

Dear Ms. Lamberton:

With the impending retirement of Richard DiPentima, the Health Department seeks to reorganize its staff in order to meet current work needs.

At no time in memory has the need for knowledgeable and skilled public health workers been so important to the protection of the public. Mr. DiPentima had a broad array of public health knowledge and skills that was developed over a career in public health. We are fortunate to have several professionally prepared staff who can provide quality public health services to the community for many years to come. With our proposed reorganization, we plan to redistribute the deputy director's duties to senior managers and to raise staff salaries commensurate with new duties. This will free up the resources needed to hire a public health specialist and a part time clerk which are necessary for our operations, while expanding the expert knowledge of existing staff.

There are three intended outcomes of this reorganization:

- 1. The financial resources of the Deputy Director position will be utilized to meet pressing public health needs, through the creation of a lower pay level public health specialist position and a part time customer service representative to support administrative functions.
- 2. Existing health department staff will subsume Deputy Director responsibilities in this reorganization, and in the process will increase the depth of public health management skills with the department.
- 3. Create a cost savings, albeit modest.

The work that the deputy completes for the department is necessary work. Our organization is such that we don't use duplicative staff to complete duties, so there isn't anyone else who has been working with the deputy director who can automatically assume this role. The Department also strives to use staff at the fullest extent of their professional expertise. For example, the



Department's Medical Director position is structured so that professional skills of a physician are not lost to administrative matters that staff at a lessor pay level can complete.

For this reason, the most practical and cost efficient resolution to how to complete the duties of the deputy position is to expand the duties of two qualified individuals currently on staff rather than continue the deputy position. This also serves the benefit of developing staff to handle the administration of Department matters and oversight of public health programs. To create the capacity of these two staff to complete the additional duties assigned with the elimination of the deputy position, the department seeks to create a public health specialist II position.

The part time customer service representative position that we desire to fill with the savings generated by this reorganization is necessary to complete clerical and receptionist duties. This 20 hour position was part of our staffing complement until we needed to abandon it in our FY 02 budget to meet appropriation levels. Among other duties associated with growing services, the position will enable us to complete new evening clinical duties without having to pay overtime.

Enclosed is a job description for a proposed public health administrator position that expands the duties of the public health preparedness and environmental health administrator position. Also enclosed is the proposed organizational chart and a spreadsheet that details the costs and savings of these changes.

Please feel free to call me at any time if you have any questions on this matter.

Sincerely,

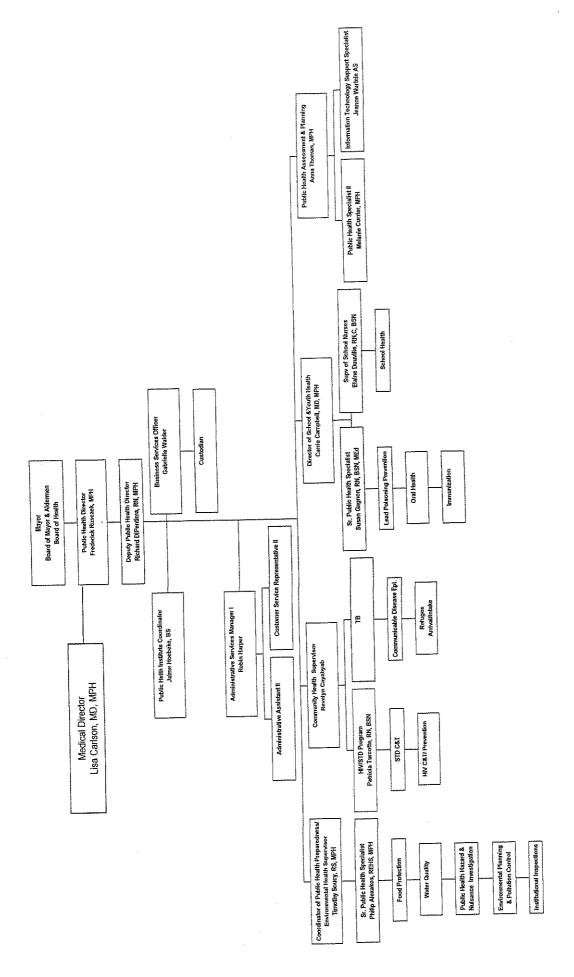
Frederick A. Rusczek, MPH Public Health Director

cc: Sean Thomas, Mayoral Assistant

aurrent org. chart

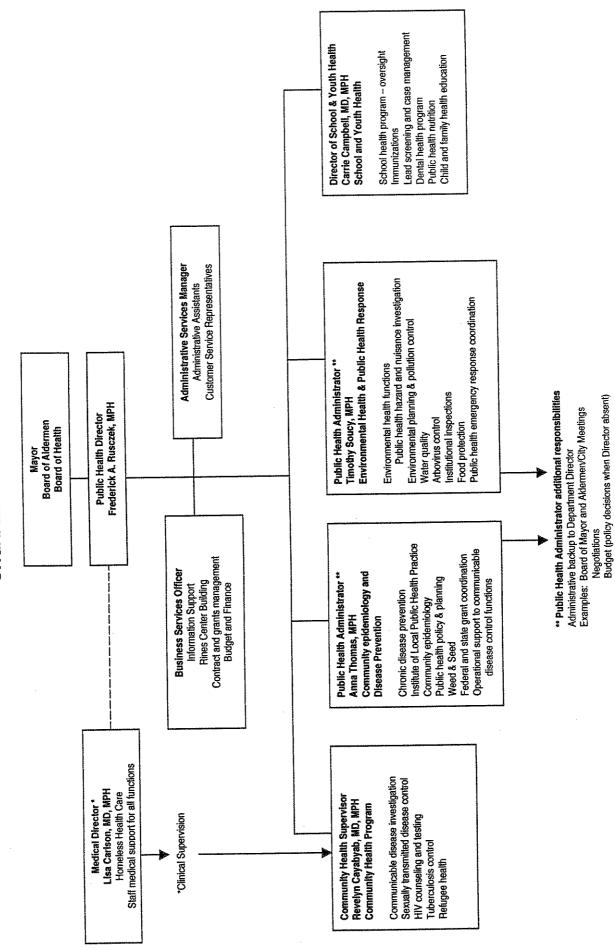


## Manchester Health Department Program Organizational Chart



Proposed Chart

## MANCHESTER HEALTH DEPARTMENT ORGANIZATIONAL CHART







## FINANCIAL CONSIDERATIONS OF HEALTH DEPARTMENT RESTRUCTURING

## Elimination of Deputy Public Health Director Position

| Resultant Savings:  Approximate FY 05 Salary and benefits f                                    | or deputy position | <u>\$111,000</u> |
|--|--------------------|------------------|
| New costs:  1. Upgrade two senior staff to new public health administrator classification (sal | ary and benefits): | \$21,408         |
| 2. New positions .5 FTE customer service representative  |                    | \$23,332         |
| Public health specialist II 42,700 (benefits @ 35 %)   | 14,945             | \$57,645         |
| Total New Costs  |                    | <u>\$0</u>       |
| Net Savings:   |                    | \$8,615          |



## CITY OF MANCHESTER Office of the City Clerk





Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

**MEMORANDUM** 

To:

Virginia Lamberton

Human Resources Director

From:

R. Bernier

City Clerk

Date:

February 9, 2006

Re:

Reorganization of the Management Structure of the Health Department

Please be advised that at the January 6, 2006 meeting of the Committee on Human Resources/Insurance, it was voted to table item 4 relating to the above-referenced request.

Chairman Gatsas requested that the Human Resources Department provide additional information regarding two scenarios as outlined in the enclosed copy of an excerpt of the minutes regarding this matter.

Please forward your response to the committee in care of this office.

Enclosure



Alderman Shea moved for discussion. Alderman Pinard duly seconded the motion. The motion carried.

Ms. Lamberton stated since I wrote this letter and it was sent to the City Clerk's office Tom Bowen asked me to change this one thing on the WTP Chief Operator class specification.

Chairman Gatsas asked do I have a motion?

Alderman Duval moved to approve the recommended updates for class specifications in the Water Works Department. Alderman Garrity duly seconded the motion. There being none opposed, the motion carried.

Chairman Gatsas asked Ms. Lamberton for item 4 relating to the Health Department request could you do two work ups so that we see them one that we would put in a new Deputy Director and what that salary range would start at...putting those two people in their flow charts as they are, what that is and a price work up.

Ms. Lamberton stated you mean if it was one or the other of those two people.

Chairman Gatsas stated it doesn't matter if we started somebody and just upgraded those two people at the levels we were talking about in today's situation and not putting in the part-time and the full-time specialist.

Alderman Duval stated I hold Mr. Rusczek in the highest regard...I'm just concerned, I just want to make sure that the efficiencies that he's proposing we are indeed going to experience and that was the reason for the line of question. If indeed a department has worked diligently on trying to come up with ways to run their department more efficiently then I think we should applaud their efforts and I respect the questions asked by Alderman Shea as well and I just want to make sure that if indeed it results in a savings then we experience those savings.

Chairman Gatsas addressed item 7 of the agenda:

7. Communication from Leo Bernier, City Clerk, seeking recommendation to the full Board that the position of City Clerk be established at a Salary Grade 27, effective December 6, 2005.



## CITY OF MANCHESTER

Human Resources Department



One City Hall Plaza

Manchester, New Hampshire 03101

Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065

www.ManchesterNH.gov

February 24, 2006

Alderman Ted Gatsas, Chairman Human Resource and Insurance Committee City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Item 4, Additional Information

Dear Alderman Gatsas and Members of the Committee:

At the Human Resource and Insurance Committee meeting on February 6, 2006, additional financial information was requested for the Health Department Reorganization, Item 4.

I am attaching the information that the Committee requested. As you will note, there will be a minimal savings by replacing the Deputy and a larger savings if the proposed reorganization is approved.

Please let me know if you need any additional information.

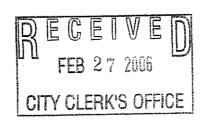
Respectfully submitted,

Nuquico a Law ber for

Virginia A. Lamberton Human Resources Director

Attachment

Cc: HRIC Committee Fred Rusczek, Director



## Financial Considerations of Health Department Restructuring

## Elimination of Deputy Public Health Director Position

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FY 06 Salary and benefits for deputy position: (Richard DiPentima)

| \$86,260 | \$25,572 | \$111,831                 |
|----------|----------|---------------------------|
| Salary   | Benefits | Total Salary and Benefits |

## New costs;

Upgrade two senior staff to new public health administrator classification (salary and benefits):

| Additional  | Benefits*       |               | 792 4,752            | \$8,476                      | \$23,332                               | \$62,405                      |
|-------------|-----------------|---------------|----------------------|------------------------------|--|-------------------------------|
| Salary Addi | Increase Ben    | 3,104         | 73,775 3,960         | Total reclassification cost: |  | d benefits                    |
| Proposed    | Salary          | 63,035        | 73,775               | Total reclas                 |  | Salaries and benefits         |
| Total       | Sal & Ben.      | 105,794       | 93,418               |                              |  |                               |
| Current     | Benefits S      | 25,863        | 69,815 23,601 93,416 |                              |  | 19,705                        |
| Current     | Safary          | 79,934        | 69,815               |                              | resentative                            | 42,700                        |
|             | Staff impacted: | Timothy Soucy | Anna Thomas          | New positions                | .5 FTE customer service representative | Public health specialist II** |

Nofes: \* Additional benefits calculated at 20 % of increase, since health and dental costs do not change with increase \*\* Public Health Specialist II Benefits are based on "worst case" scenario as detailed below:

PHS II benefits:

Dental - \$1238.99 MT-\$11364.00

Life - \$59.00 Disability - \$ 53.00 City Retire - \$3723.44

FICA - \$3266.55

Total - \$19704.98

## Wanchester Health Department

# Review of Current and Proposed Organization Models

| Current Deputy Model  | Proposed 2 Public Health Administrator Model   |
|---|--|
| Personnel   | Pelsonnek  |
| 1 Deputy Public Health Director   | 2 Public Health Administrators from upgrade of existing staff 1 Public Health Specialist II (new) replacement for deputy position .5 FTE Admin Assistant currently covered by revenue from School District will revert to City Public Health & replaced for school program with school term .5 FTE customer service representative |
| Cost/Savings (FY 06 salary figures)   | CostiSavings   |
| FY 06 Deputy Director Cost \$ 111,831   | Upgrade two senior staff to new public health administrator classification (salary and benefits):  |
| Replacement cost: Minimum salary & benefits to be above subordinate, per City Ordinance 33.051- \$ 108,871  | New positions ~,5 FTE customer service representative for school program;  |
| Deputy replacement savings \$ 2,960   | ~Public health specialist II \$57,645 Salary \$ 42,700; benefits \$ 14,945 (benefits estimated @ 35 %)   |
| (assumes tevel penetit cost.)   | Total \$89,453 Savings per year (over current budget) \$22,378 (over replacement of deputy) \$19,418   |
| Broskons / A feet for the feet | Riceltons  |
| Does not require reclassification process and ordinance<br>change   | Creates greater depth in organization to handle public health issues from the expansion of duties for 2 senior managers; this depth wilf be necessary in the event of a flu pandemic, or other public health crisis.   |
| Continues simple chain of command, and single backup for department head  | Public health specialist II position picks up displaced work of public health administrator which further develops   |
| Future considerations - Department will have one potential candidate for Department Head in the future  | Future considerations - Department will have two fully prepared candidates for deputy director and/or director position  |



## CITY OF Manchesics



Office of the Mayor Hon, Frank C. Guinta

February 23, 2006

Human Resources & Insurance Committee City Hall One City Hall Plaza Manchester, NH 03101

RE: Restructuring of Health Department following retirement of Deputy Director

Dear Chairman Gatsas:

I have reviewed the proposed restructuring of the Health Department following the retirement of its deputy director and support this reorganization as detailed below.

The proposed restructuring eliminates the deputy director position and reassigns duties, with a commensurate pay increase and reclassification, to two existing staff, as well as creates a lower level public health specialist position to pick up displaced duties. This will enable the Department to complete its public health work and will create greater depth within the organization to handle the City's public health issues. While I understand the reasons behind the Department's request to use some of the savings for a part time customer service representative, I do not support filling this support staff position at this time. My staff and I will continue to examine alternatives to address the Health Department's support staff needs in the FY 07 budget preparation.

As proposed, the Health Department reorganization will result in a savings of at least \$ 17,600 over the FY 06 budget for the deputy position. By holding the customer service representative position open at this time, the resultant savings will be over \$ 40,000. Most importantly, essential public health services will be continue to be provided to the City.

I therefore request that the Human Resources Committee act upon this matter as soon as possible and urge your approval of this important request.



If you have any further questions regarding this matter, I would be glad to assist the committee. Please contact me at your convenience.

Sincerely,

Frank C. Guinta

Mayor

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Sections 33.024, 33.025 & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that there be a reorganization of the Traffic Department and Parking Operations to become effective July 1, 2006 by creating a Division of Traffic and a Division of Parking with the following provisions:

- a) that Jim Hoben, Deputy Traffic Director, be grandfathered in at Grade 22 (upon his departure from city service the position would be reevaluated);
- b) that Jim Hoben (grandfathered) be made Traffic Operations Manager at Grade 22:
- c) that Denise Boutilier become the administrator (Grade 16) in the Parking Enterprise Fund and review of this position shall be made by the Human Resources Director after 6-12 months to see if the position is properly classified with report to the full Board of Mayor and Aldermen at a later date;
- d) that two Parking Meter Technicians at Grade 12 be assigned to the Division of Parking;
- e) that a Parking Manager be hired under the Enterprise System at Grade 25;
- f) that the parking Enterprise Fund administrator (Denise Boutilier) and the two Parking Meter Technicians shall report to the Economic Development Director;
- g) that the Human Resources Director will work with the Economic Development Director and others if need be to assist in the development of a job classification for a Parking Manager at Grade 25 so it can be advertised as soon as possible; and
- h) the city move forward with an RFP for new display meters as soon as possible so as to aid all Board members in their deliberations and final decision.



Report of Committee on Administration May 2, 2006 Page 2

The Committee also recommends that funding for Jim Hoben, as Traffic Operations Manager, be placed in the FY07 budget.

The Committee further recommends that the affiliation of the Parking Control Officers under the supervision of the Police Department remain as present with the understanding that funding is provided for under the Parking Enterprise Fund, allowing for further consideration by the Board at a later time following budget adoption.

The Committee recommends that the Board accept and approve the aforementioned recommendations and refer same to the Committee on Finance for FY07 budget actions as may be required, and to the Committee on Bills on Second Reading for Ordinance preparation and technical review as may be necessary with final adoption of related Ordinances anticipated to be accomplished by the full Board of Mayor and Aldermen prior to July 1, 2006.

| At a meeting of the Board | i of Mayor and Ak  | termen        |
|---------------------------|--------------------|---------------|
| haldon                    | a motion of Ald    | Lopez         |
| uly seconded by Ald       | Olatori 1          | the report    |
| of the Committee was ac   | cepted and its red | commendations |
| (adopted) (denied)        | Valus              | n/            |
|                           | Chyc               | Soll          |

Respectfully submitted,

## City of Manchester New Hampshire

In the year Two Thousand and

Six

## AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

## SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Parking Manager, Class Code 5291

## SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Parking Manager, Class Code 5291, Grade 25

## SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Establish Parking Manager, Class Code 5291, Grade 25 exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.







## City of Manchester, New Hampshire

## **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Parking Manager |
|-------------------|-----------------|
| Class Code Number | 5291-25         |

## **General Statement of Duties**

Plans, coordinates, manages and reviews the activities of the City's Parking programs; performs related work as required.

## Distinguishing Features of the Class

The principal function of an employee in this class is to be responsible for the planning, directing and controlling the City's on-street and off-street public parking programs and facilities to include parking meters, garage fee collection, permits, maintenance activities, contracts and capital improvement programs. The work performed is under the supervision and direction of the Director of Economic Development, but considerable leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of all employees within the Parking Division. The nature of the work performed requires that an employee in this class establish and maintain effective working relationship with public official, local agencies, property owners, leaseholders, other public/private organizations and the general public. The principle duties of this class are performed in a good environment.

## Examples of Essential Work (illustrative only)

- Plans, develops and administers on-street and off-street parking facilities and programs, strategies, goals, objectives and priorities;
- Participates in long range planning of activities and programs related to public parking facilities and on-street parking areas;

Parking Manager 5291 Page 2

- Recommends and implements policies and procedures;
- Meets with landlords, tenants and downtown organizations, develops individual parking solutions, programs and strategies;
- Maintains public parking assets;
- Conducts parking needs analysis and design parking management plans;
- Selects, assigns, monitors, evaluates and provides professional and technical guidance to staff engaged in the management of field operations, receivables, public counter and banking, cash handling, revenue estimation, qualify control, parking meter collection and maintenance, procedural compliance;
- Participates in the preparation and administration of the division budget;
- Participates in the long-range planning of programs and facility needs related to on-street and off-street parking management;
- Coordinates the development of new parking facilities and on-street parking areas by preparing rate scenarios generating fee revenue to support funding;
- Develops specifications for operational elements of construction, reviews architectural designs and assists in the selection of contractors;
- Secures community support through public meetings and presentations and collaborates with staff from other City Departments during construction;
- Manages and performs negotiation, development, administration, monitoring and evaluation of complex parking management contracts to include facility operations, revenue control, equipment selection and operation, customer relations;
- Oversees the development of marketing plans designed to attract new customers and increase parking facility utilization;
- Manages audits of parking facility operations and recommends annual rate changes and revenues to the Board of Mayor and Aldermen;
- Coordinates and performs parking studies and analysis of specific projects and special areas:
- Directs the evaluation of new products, the development of specifications and the development of bid packages for future purchases;
- Prepares and directs the preparation of periodic revenue reports and monthly profit and loss statements, project status reports, prepares a variety of reports, correspondence and studies, reports and information for the Board of Mayor and Aldermen;
- Establish and monitor collections and revenue control systems;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

## Required Knowledge, Skills and Abilities (at time of appointment)

- Comprehensive knowledge of parking operations and procedures for parking programs;
- Comprehensive knowledge of current principles and practices of public parking;
- Comprehensive knowledge of budgetary principles within a municipality;
- Ability to devise and implement programmatic solutions to address on-street and of-street parking customers and achieve revenue goals;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to market parking and lease services to a diverse customer base;
- Ability to analyze, interpret and explain paring regulations and codes;
- Ability to communicate clearly and concisely both verbally and in writing;
- Ability to negotiate contract and other agreements on facility uses;
- Ability to collect, compile, analyze and interpret data;
- Ability to use logical and creative thought processes to develop solutions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

## Acceptable Experience and Training

- Graduation from an accredited college or university with a Bachelor's degree in Public Administration, engineering, planning, architecture or a related field;
- Five years of progressively responsible administrative/management experience within a large organization working in on-street and off-street public or municipal parking;
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

## **Required Special Qualifications**

- Possession of a New Hampshire Driver's license;
- Designation of Certified Parking Professional from the National Parking Association or Certified Administrator of Public Parking (CAPP) from the International Parking Institute preferred.

#### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

| Approved by: | Date: |
|--------------|-------|
| ADDIOVED DV. |       |



# CITY OF MANCHESTER

Human Resources Department



One City Hall Plaza
Manchester, New Hampshire 03101
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
www.ManchesterNH.gov

May 3, 2006

To the Honorable Mayor Frank Guinta and Members of the Board of Aldermen City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Proposed Class Specification - Parking Manager

Dear Mayor Guinta and the Board of Aldermen:

As per your request, I have drafted a class specification for the new position Parking Manager.

I have spoken to the Human Resource Directors in Portsmouth and Concord regarding the minimum qualifications in their Parking Manager class specifications. Neither of the cities require the special qualification of Certified Parking Professional or Certified Administrator of Public Parking. However, in Portsmouth, the Traffic Engineer does possess these certifications. In Concord, the individual that they recently hired also possesses the certifications. Therefore, I have stated in the class specification that we would prefer the certifications but they are not required. I hope that satisfies your concerns.

I am attaching a copy of the draft class specification for your review and comments. I am also attaching an Ordinance which is required to establish the position and class specification.

If you would like any changes to the draft, please let me know and I will make those changes.

Please let me know if this meets your needs.

Sincerely, Vugava a Lamba der

Virginia A. Lamberton Human Resources Director

Attachments

RECEIVED MAY - 4 2006 CITY CLERK'S OFFICE

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

In A Berner

Clerk of Committee

The Committee on Administration/Information Systems respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

| the ameeting of the Board of Mayor and Atdenness      | Respectfully submitted, |
|---|-------------------------|
| and April 18, 2006 a motion of Ald. DeVries           | $\Lambda \alpha$ .      |
| tuly seconded in the report                           |                         |
| of the Committee was accepted and its recommendations | (ara) Nohusin           |
| (adopted) (dented) Duran                              | Clerk of Committee      |
| Chyclen   |                         |

In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 1

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, is follows:

I. Amending Section 111.71 Curfew For Entertainment by inserting new language as bolded (**bold**). Sections of Chapter 111 not regular type remain unchanged.

#### 111.70 CURFEW AT DANCES.

No public dancing shall be permitted between the hours of 2:00 a.m. and 2:00 p.m. on Sunday, 1:00 a.m. and 12:00 p.m. on Monday, or 2:00 a.m. and 12:00 p.m. Tuesday, Wednesday, Thursday, Friday, and Saturday.

#### 111.71 CURFEW FOR ENTERTAINMENT.

- (A) No exhibit of natural or artificial curiosities, theatrical performances, or other shows shall be permitted **outdoors after 10:00 p.m., as specified in section**111.75(B)(1), or indoors between the hours of 2:00 a.m. and 9:00 a.m. on Sunday, 1:00 a.m. and 9:00 a.m. on Monday, or 2:00 a.m. and 9:00 a.m. Tuesday, Wednesday, Thursday, Friday, and Saturday, except as may be permitted by the Committee on Administration.
- (B) The Committee on Administration may approve applications for Entertainment Licenses if applications meet the criteria listed below. The criteria are as follows:
- (1) The location of the event shall not substantially impact a residential zone or district by excessive noise, traffic or other negative impact;
- (2) The proposed event shall not be more than two consecutive calendar days in length;
- (3) The sponsors, applicants, or management of the event are of sufficiently good character to leave no substantial doubt that the proposed event shall be operated in strict accordance with all state or municipal rules, regulations, ordinances or statutes which are rationally related to the issuance of this license; and
- (4) The event must be held in accordance with all applicable municipal building, zoning, health, police, and fire rules, regulations and ordinances and applicable rules, regulations, and statutes of the State of New Hampshire.



In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### 111.75 NOISE ACTIVITIES; PURPOSE.

The purpose of this section is to establish standards that will eliminate and reduce unnecessary noise at outdoor venues throughout the city which may be physically harmful or otherwise detrimental to individuals and the community in the enjoyment of life, property and the conduct of business.

- (A) No person shall conduct an event that involves the amplification of sound or speech above 60 dB(A) for the purpose of presenting a musical selection, show, performance or concert at an outdoor venue within the limits of the city without obtaining a noise permit issued by the office of the City Clerk.
- (B) The following general guidelines shall apply to the issuance of a noise permit. These guidelines are not all inclusive as other criteria may be established that is reasonable and prudent to protect the public or limit the anticipated detrimental impact of the events noise upon the community:
- (1) All outdoor venues shall have a curfew of 10:00 p.m. Any event which exceeds this curfew shall be assessed the penalty identified in §111.99(C)(4) for each 15-minute period beyond this curfew.
- (2) The office of the City Clerk shall not grant a permit to conduct noise at level greater than 100 dB(A) to be measured 100 feet from the noise source.
- (3) Any sound board or mix position present at an event shall be placed at 100 feet from the noise source.
- (4) The office of the City Clerk may require any applicant to be monitored for sound levels to ensure compliance with this chapter. Monitoring may be conducted by a representative of the city or an independent third party using an appropriate sound level meter. In the event of third party monitoring, all expenses associated with the sound monitoring shall be assumed by the applicant.
- (5) In granting a license, the office of the City Clerk may impose additional conditions or stipulations it deems necessary and proper to preserve the intent of this chapter.
- (6) Should an application for a noise permit be denied, the applicant can appeal the decision to the Committee on Administrative/ Information Systems of the Board of Mayor and Aldermen.

In the year Two Thousand and Six

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Page 3

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### 111.76 PERMIT FEES.

Each application for a noise permit shall include an application fee of \$200 cash, money order or bank check made payable to the city.

#### 111.77 PROHIBITED CONDUCT.

The following conduct is prohibited:

- (A) Provide any false or inaccurate information to any city board, committee, commission or any employee of the city, in an attempt to deceive or otherwise avoid compliance with this subchapter.
- (B) Hinder, obstruct, delay, resist, interfere, or attempt to interfere with any authorized persons while in the performance of their duties under this ordinance.
- (C) Emit or cause to be emitted any noise which exceeds the established limits in § 111.75(B)(2).
  - (D) Violate any subsection of § 111.75.
- (E) Conduct an event that involves the amplification of sound or speech above 60 DBA for the purpose of presenting a musical selection, show, performance or concert at an outdoor venue in the city without obtaining a license from the office of the City Clerk pursuant to § 111.75(A).

#### 111.99 PENALTY.

- (A) Any person who shall fail to comply with any of the provisions of this chapter or who shall violate any of the provisions set forth herein, unless a penalty is specified elsewhere, shall be subject to the penalties as set forth in § 10.99 of this code of ordinances.
- (B) (1) Any person who commits an act prohibited or made unlawful by  $\S\S 111.40$  through 111.55 or  $\S\S 111.65$  through 111.77 of this chapter or fails to perform any act required by such subchapter shall be guilty of a violation. Each act of violation, or in the case of continuous violation, and every day upon which any such violation shall occur shall constitute a separate offense. In addition, if the court finds for the city, the



In the year Two Thousand and Six

#### AN ORDINANCE

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Page 4

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

city shall recover its costs of suit including reasonable experts' fees, attorney fees, and necessary investigative costs. Parties held responsible for violations of §§ 111.40 through 111.55 or §§ 111.65 through 111.77 shall include corporate officers, partners, or owners as identified on the business license application or as may be otherwise identified by the city as a result of any related investigation.

- amusement device located within the city in contravention of any of the provisions of §§ 111.40 through 111.55. Upon such seizure the Police Department shall notify the owner of the seized devices, or the person in whose place of business the amusement device was placed, of such seizure and the reason therefor. The Police Department shall hold any such seized devices for a period of not less than ten days from the date of the required notification to the owner or operator of the premises. During this period the owner or operator may redeem any such machine by correcting the violation of this division which led to such seizure. Any amusement devices which are so seized and which are not redeemed within the ten-day period described in this division (B)(2) shall become the property of the city. Costs for transportation and storage charges will be billed to the owner of any amusement devices seized and must be paid before the release of the devices from city storage. The city will be held harmless for any damage occurring during the act of confiscation, transportation, and storage of each device.
- (C) Violations of  $\S$  111.77, Prohibited Conduct shall follow the penalty schedule below:
- (1) First offense. The licensee or his or her representative shall be informed of the noise ordinance and corrective measures to achieve compliance. This shall constitute an official warning and should be accomplished in writing if possible.
- (2) Second offense. A citation shall be issued to the licensee or his or her representative in the amount of \$250.
- (3) Third offense. A citation shall be issued to the licensee or his or her representative in the amount of \$500.
- (4) Fourth and subsequent offenses. A citation shall be issued to the licensee or his or her representative in the amount of \$1,000.



# CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

> Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

**MEMORANDUM** 

TO:

Committee on Administration/Information Systems

Ald. O'Neil, Lopez, Smith, Forest, DeVries,

FROM:

Matthew Normand

Deputy Clerk

DATE:

March 30, 2006

RE:

Amendment to Entertainment Curfew

The attached amendments to Chapter 111 Amusements of the Code of Ordinances represent a "house-cleaning" change, primarily to the curfew for entertainment. The recently passed Noise permit and accompanying standards established a new curfew (10:00 p.m.) for *outdoor* entertainment. A previous curfew, intended for *indoor* entertainment, already exists and allows activities until 2:00 a.m. on most nights of the week. Since this ordinance does not specify indoor entertainment, an obvious conflict between the two sections was created. The Solicitor's Office agrees that this amendment should clear up any confusion with the curfew.

You should note that the ordinance amendments also include the sections involving the Noise permitting process. These sections have only been renumbered to allow for future expansion of the chapter and no substantive changes have been made. If you have any questions or concerns prior to your meeting, you may reach me at 624-6348. Thank you.

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48(C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

The Berne .

Clerk of Committee

In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by inserting new language as bolded (**bold**), and deleting existing language as struckthrough. Portions of the following sections that remain unchanged appear in regular type.

# § 70.48 DENOMINATION OF COIN TO BE DEPOSITED AND TIME ALLOTTED THEREFOR.

- Whenever any vehicle shall be parked next to a parking meter on any day, when parking regulations as provided for under the provisions of this chapter are in effect, the owner or operator of said vehicle shall park within the area designated by the curb and street marking lines as indicated for parallel, or diagonal parking on public highways or in municipal parking lots within the lines indicated for the parking meter selected by the operation of the motor vehicle, and upon entering said parking space shall immediately deposit in said parking meter any lawful coin or coins of the United States in the proper amount depending upon the location and the length of time such vehicle can be legally parked as prescribed for that zone by this chapter and shall put the meter in operation; provided, however, that such owner or operator may use the unexpired time remaining on the meter from the previous use without depositing a coin therein, and provided further that no vehicle shall be parked for longer than the period prescribed for that zone by this chapter. When a vehicle is too large to be confined in a single space, only the meter nearest the hood of the front end of said vehicle need be operated. If a vehicle shall remain parked in any parking space for longer than the time prescribed by this chapter or for such length of time that the parking meter shall display a signal indicating illegal parking, then in that event such vehicle shall be considered as parked overtime.
- (B) It shall be unlawful to deposit or cause to be deposited in any parking meter anything other than a coin or coins of the United States.
- (C) It shall be unlawful to park in any space without a meter beyond the prescribed time.



In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### § 70.78 PENALTY.

(A) Each owner or operator of a vehicle found in violation of any provision of Chapter 70 may pay in person or by mail to the Ordinance Violations Bureau the penalty for each violation pursuant to the following table:

| VIOLATION                                    | BASIC<br>PENALTY | INCREASED PENALTY (After 7 days from the notice of violation) |
|--|------------------|---|
| Expired Parking Meter                        | \$10             | \$20  |
| Overtime Parking-Meter                       | \$15             | \$30  |
| Night Parking                                | \$25             | \$50  |
| Overtime Parking- No Meter                   | \$30             | \$60  |
| No Parking Zone                              | \$50             | \$75  |
| No Parking Tow Zone                          | \$50             | \$75  |
| Fire Lane                                    | \$50             | \$75  |
| Parking Within 15 Feet of<br>Fire Hydrant    | \$50             | \$75  |
| Parking Within 5 Feet of<br>Private Driveway | \$50             | \$75  |
| Handicapped Parking Space-<br>Access Aisle   | \$100            | \$200   |
| Handicapped Zone                             | \$250            | \$300   |

In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(B) Any violation of Chapter 70 not identified in §70.78 (A) shall be issued pursuant to §38.06 (B) of this code.

#### § 70.79 INCREASED PENALTIES.

Any person, firm or corporation who shall violate any of the provisions of Chapter 70 regulating standing, stopping or parking and who fails to dispose of the notice of violation as required by § 70.71 shall dispose of that notice of violation by paying an increased penalty as provided herein.

| After 7 Days              |                  |
|---------------------------|------------------|
| Expired Parking Meter     | \$20.00          |
| Overtime Parking          | 30.00            |
| Night Parking ———         | <del>45.00</del> |
| No Parking Zone           | 40.00            |
| No Parking Tow Zone       | 50.00            |
| Handicapped Zone          | 300.00           |
| Handicapped Parking Space |                  |
| - Access Aisle            |                  |
| First Offense             | 75.00            |
| - Subsequent Offenses     | 125.00           |
| Fire Lane                 | 50.00            |

Any person, firm or corporation responsible for a violation of this chapter who fails to pay the penalty or increased penalty for a notice of violation shall be guilty of a violation and shall, upon conviction, be punished by a fine as prescribed under § 130.99 of this Code.

II. This ordinance shall take effect upon passage.



The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board authorize transfer and expenditure of funds in the amount of \$177,650 for various CIP projects, and for such purpose a resolution and budget authorizations have been submitted.

(Unanimous vote)

Respectfully submitted,

Il Permer

Clerk of Committee



The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board authorize acceptance and expenditure of funds in the amount of \$1,200 for FY2006 CIP 214506 Senior Wellness Funding Initiative Program, and for such purpose a resolution and budget authorization have been submitted.

(Unanimous vote)

Respectfully submitted,

Clerk of Committee

Le Benner



The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board authorize acceptance and expenditure of funds in the amount of \$25,000 for FY2006 CIP 612606 Citywide Marketing Plan Program, and for such purpose a resolution and budget authorization have been submitted.

(Unanimous vote)

Respectfully submitted,

Lek Berner.

Clerk of Committee

1

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that the Board accept a Watershed Restoration grant in the amount of \$60,000 from the NH Department of Environmental Services to complete the Nutts Pond Watershed Improvement Project, and for such purpose a resolution and budget authorization have been submitted.

The Committee further recommends that Frank Thomas, Public Works Director, be authorized to sign the grant agreement after review and approval by the City Solicitor.

(Unanimous vote)

Respectfully submitted,

The R. Perman,

Clerk of Committee



April 27, 2006

#### City Of Manchester Department of Highways Environmental Protection Division

300 Winston Street Manchester, New Hampshire 03103-6826 (603) 624-6595 Fax (603) 628-6234 Frank C. Thomas, P.E. Public Works Director

Kevin A. Sheppard, P.E. Deputy Public Works Director

#06-33-MO

Mr. Mike Garrity
Chairman
C.I.P. Committee
In Care of
City Clerks Office
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Re: NHDES Watershed Restoration Grant Acceptance

Dear Mr. Garrity:

The City of Manchester has been awarded a \$60,000 Watershed Restoration Grant by the Department of Environmental Services to complete the Nutts Pond Watershed Improvement Project in 2006. The remaining funds for the project will be provided by the Supplemental Environmental Project Plan (EPD Fund).

The project will consist of wetlands restoration at the East and South Inlets of Nutts Pond. The velocity of the storm water in those areas will be reduced. Structures will be constructed to help divert flows and help capture sediments. The storm water will then pass through restored wetlands to help remove the nutrients that are present before it is discharged to Nutts Pond. The anticipation is that over time the water quality at the pond should improve.

To be awarded the funds we must enter into a Grant Agreement with the DES. I have attached a copy of the Grant Agreement and a Certificate of Authority. Upon acceptance of the grant by the Board of Mayor and Alderman the Grant Agreement and the Certificate of Authority will need to be signed and notarized. We request that Frank Thomas, P.E., Director of Public Works be authorized to sign the Grant Agreement. The Certificate of Authority will need to be signed by Leo Bernier the City Clerk on the same day or before the Grant Agreement is signed.

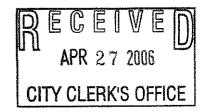
If there are any questions or comments in regards to this letter, please call me at 624-6513.

Very truly,

Robert Robinson

Pretreatment Supervisor

Cc: Frank Thomas, P.E. Kevin Sheppard, P.E. Fred McNeill, P.E. Rick Cantu Sam Maranto



H:\IDP Files\Man. Urban Pond & Streambank Restoration\Nutts Pond\Grant\Grant Acceptance.doc

# 1

#### CERTIFICATE OF AUTHORITY

- I, Leo Bernier, City Clerk for the City of Manchester, New Hampshire do hereby certify that:
- (1) The Board of Mayor & Alderman voted to accept funds and enter into a contract with the New Hampshire Department of Environmental Services;
- (2) The Board of Mayor and Alderman further authorized the Public Woks Director to execute any documents, which may be necessary for this contract;
- (3) This authorization has not been revoked, annulled, or amended in any manner whatsoever, and remains in full force and effect as of the date hereof; and
- (4) The following now occupies the office indicated above:

#### Frank Thomas, P.E.

|   | •                 |                         |       |
|---|-------------------|-------------------------|-------|
|   |                   | Leo Bernier, City       | Clerk |
| E OF NEW HAMPSHIRE<br>NTY OF HILLSBOROUGH   |                   |                         |       |
| is theday of, 2006, before signed officer, personally appeared Leo Bernier, City City Clerk for the City of Manchester, being authorized the transfer of the contained. | Clerk, who acknov | wledged herself/himself | to be |
|   | aial caal         |                         |       |
| ITNESS WHEREOF, I hereunto set my hand and office   | ciai scai.        |                         |       |
| ITNESS WHEREOF, I hereunto set my hand and offic  | Ciai SCai.        |                         |       |
| ITNESS WHEREOF, I hereunto set my hand and offic  | ciai scai.        |                         |       |

#### **GRANT AGREEMENT**

Subject: City of Manchester - Nutts Pond Watershed Improvement Project

The State of New Hampshire and the Contractor hereby mutually agree as follows:

#### GENERAL PROVISIONS

1. IDENTIFICATIONS AND DEFINITIONS 1.2 State Agency Address 1.1 State Agency Name 29 Hazen Drive Department of Environmental Services Concord, NH 03301 1.4 Grantee Address 1.3 Grantee Name City of Manchester, NH 300 Winston Street Manchester, NH 03103 1.8 Grant Limitation 1.7 Audit Date 1.5 Effective Date 1.6 Completion Date \$60,000.00 December 31, 2007 N/A Upon approval 1.10 State Agency Telephone Number 1.9 Grant Officer for State Agency 603-271-3503 Eric Williams, Watershed Assistance Section Supervisor 1.12 Name & Title of Grantee Signor 1.11 Grantee Signature 1.13 Acknowledgment: State of New Hampshire, County of On \_\_\_\_\_\_\_\_, before the undersigned officer, personally appeared the person identified in block 1.12., or satisfactorily proven to be the person whose name is signed in block 1.11., and acknowledged that s/he executed this document in the capacity indicated in block 1.12. 1.13.1 Signature of Notary Public or Justice of the Peace (Seal) 1.13.2 Name & Title of Notary Public or Justice of the Peace 1.15 Name/Title of State Agency Signor(s) 1.14 State Agency Signature(s) Michael P. Nolin, Commissioner 1.16 Approval by Attorney General's Office (Form, Substance and Execution) Attorney, On: By: 1.17 Approval by the Governor and Council

By:

On:

- 2. SCOPE OF WORK. In exchange for grant funds provided by the state of New Hampshire, acting through the agency identified in block 1.1 (hereinafter referred to as "the State"), pursuant to RSA 21-O, the Grantee identified in block 1.3 (hereinafter referred to as "the Grantee"), shall perform that work identified and more particularly described in the scope of work attached hereto as EXHIBIT A (the scope of work being referred to as "the Project").
- 3. AREA COVERED. Except as otherwise specifically provided for herein, the Grantee shall perform the Project in, and with respect to, the state of New Hampshire.

#### 4. EFFECTIVE DATE: COMPLETION OF PROJECT.

- 4.1 This Agreement, and all obligations of the parties hereunder, shall become effective on the date in block 1.5 or on the date of approval of this Agreement by the Governor and Council of the State of New Hampshire whichever is later (hereinafter referred to as "the Effective Date").
- 4.2 Except as otherwise specifically provided for herein, the Project, including all reports required by this Agreement, shall be completed in ITS entirety prior to the date in block 1.6 (hereinafter referred to as "the Completion Date").

# 5. GRANT AMOUNT; LIMITATION ON AMOUNT; VOUCHERS; PAYMENT.

- 5.1 The Grant Amount is identified and more particularly described in EXHIBIT B, attached hereto.
- 5.2 The manner of, and schedule of payment shall be as set forth in EXHIBIT B.
- 5.3 In accordance with the provisions set forth in EXHIBIT B, and in consideration of the satisfactory performance of the Project, as determined by the State, and as limited by subparagraph 5.5 of these general provisions, the State shall pay the Grantee the Grant Amount. The State shall withhold from the amount otherwise payable to the Grantee under this subparagraph 5.3 those sums required, or permitted, to be withheld pursuant to N.H. RSA 80:7 through 7-c. 5.4 The payment by the State of the Grantea mount shall be the only, and the complete, compensation to the Grantee for all expenses, of whatever nature, incurred by the Grantee in the performance hereof, and shall be the only, and the complete, compensation to the Grantee for the Project. The State shall have no liabilities to the Grantee other than the Grant Amount.
- 5.5 Notwithstanding anything in this Agreement to the contrary, and notwithstanding unexpected circumstances, in no event shall the total of all payments authorized, or actually made, hereunder exceed the Grant limitation set forth in block 1.8 of these general provisions.

#### 6. COMPLIANCE BY GRANTEE WITH LAWS AND

REGULATIONS. In connection with the performance of the Project, the Grantee shall comply with all statutes, laws, regulations, and orders of federal, state, county, or municipal authorities which shall impose any obligations or duty upon the Grantee, including the acquisition of any and all necessary permits.

#### 7. RECORDS AND ACCOUNTS.

7.1 Between the Effective Date and the date seven (7) years after the Completion Date the Grantee shall keep detailed accounts of all expenses incurred in connection with the Project, including, but not limited to, costs of administration, transportation, insurance, telephone calls, and clerical materials and services. Such accounts shall be supported by receipts, invoices, bills and other similar documents. 7.2 Between the Effective Date and the date seven (7) years after the Completion Date, at any time during the Grantee's normal business hours, and as often as the State shall demand, the Grantee shall make available to the State all records pertaining to matters covered by this Agreement. The Grantee shall permit the State to audit, examine, and reproduce such records, and to make audits of all contracts, invoices, materials, payrolls, records or personnel, data (as that term is hereinafter defined), and other information relating to all matters covered by this Agreement. As used in this paragraph, "Grantee" includes all persons, natural or fictional, affiliated with, controlled by, or under common ownership with, the entity identified as the Grantee in block 1.3 of these general provisions.

#### 8. PERSONNEL.

- 8.1 The Grantee shall, at its own expense, provide all personnel necessary to perform the Project. The Grantee warrants that all personnel engaged in the Project shall be qualified to perform such Project, and shall be properly licensed and authorized to perform such Project under all applicable laws.
- 8.2 The Grantee shall not hire, and it shall not permit any subcontractor, subgrantee, or other person, firm or corporation with whom it is engaged in a combined effort to perform such Project, to hire any person who has a contractual relationship with the State, or who is a State officer or employee, elected or appointed.
- 8.3 The Grant officer shall be the representative of the State hereunder. In the event of any dispute hereunder, the interpretation of this Agreement by the Grant Officer, and his/her decision on any dispute, shall be final.

#### 9. DATA: RETENTION OF DATA; ACCESS.

- 9.1 As used in this Agreement, the word "data" shall mean all information and things developed or obtained during the performance of, or acquired or developed or obtained during the performance of, or acquired or developed by reason of, this Agreement, including, but not limited to, all studies, reports, files, formulae, surveys, maps, charts, sound recordings, video recordings, pictorial reproductions, drawings, analyses, graphic representations, computer programs, computer printouts, notes, letters, memoranda, papers, and documents, all whether finished or unfinished.
- 9.2 Between the Effective Date and the Completion Date the Grantee shall grant to the State, or any person designated by it, unrestricted access to all data for examination, duplication, publication, translation, sale, disposal, or for any other purpose whatsoever.
- 9.3 No data shall be subject to copyright in the United States or any other country by anyone other than the State.
- 9.4 On and after the Effective Date all data, and any property which has been received from the State or purchased with funds provided for that purpose under this Agreement, shall be the property of the State, and shall be returned to the State upon demand or upon termination of this Agreement for any reason, whichever shall first occur.
- 9.5 The State, and anyone it shall designate, shall have unrestricted authority to publish, disclose, distribute and otherwise use, in whole or in part, all data.

#### 10. CONDITIONAL NATURE OF AGREEMENT.

Notwithstanding anything in this Agreement to the contrary, all obligations of the State hereunder, including without limitation, the continuance of payments hereunder, are contingent upon the availability or continued appropriation of funds, and in no event shall the State be liable for any payments hereunder in excess of such available or appropriated funds. In the event of a reduction or termination of those funds, the State shall have the right to withhold payment until such funds become available, if ever, and shall have the right to terminate this Agreement immediately upon giving the Grantee notice of such termination.

#### 11. EVENT OF DEFAULT; REMEDIES.

- 11.1 Any one or more of the following acts or omissions of the Grantee shall constitute an event of default hereunder (hereinafter referred to as "Events of Default"):
- 11.1.1 failure to perform the Project satisfactorily or on schedule; or
- 11.1.2 failure to submit any report required hereunder; or
- 11.1.3 failure to maintain, or permit access to, the records required hereunder; or
- 11.1.4 failure to perform any of the other covenants and conditions of this Agreement.
- 11.2 Upon the occurrence of any Event of Default, the State may take any one, or more, or all, of the following actions:
- 11.2.1 give the Grantee a written notice specifying the Event of Default and requiring it to be remedied within, in the absence of a greater or lesser specification of time, thirty (30) days from the date of the notice; and if the Event of Default is not timely remedied, terminate this Agreement, effective two (2) days after giving the Grantee notice of termination; and
- 11.2.2 give the Grantee a written notice specifying the Event of Default and suspending all payments to be made under this Agreement

and ordering that the portion of the Grant Amount which would otherwise accrue to the grantee during the period from the date of such notice until such time as the State determines that the Grantee has cured the Event of Default shall never be paid to the Grantee; and 11.2.3 set off against any other obligation the State may owe to the Grantee any damages the State suffers by reason of any Event of Default; and

11.2.4 treat the agreement as breached and pursue any of its remedies at law or in equity, or both.

#### 12. TERMINATION.

- 12.1 In the event of any early termination of this Agreement for any reason other than the completion of the Project, the Grantee shall deliver to the Grant Officer, not later than fifteen (15) days after the date of termination, a report (hereinafter referred to as the "Termination Report") describing in detail all Project Work performed, and the Grant Amount earned, to and including the date of termination. 12.2 In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall entitle the Grantee to receive that portion of the Grant amount earned to and including the date of termination.
- 12.3 In the event of Termination under paragraphs 10 or 12.4 of these general provisions, the approval of such a Termination Report by the State shall in no event relieve the Grantee from any and all liability for damages sustained or incurred by the State as a result of the Grantee's breach of its obligations hereunder.
- 12.4 Notwithstanding anything in this Agreement to the contrary, either the State or except where notice default has been given to the Grantee hereunder, the Grantee, may terminate this Agreement without cause upon thirty (30) days written notice.
- 13. CONFLICT OF INTEREST. No officer, member or employee of the Grantee and no representative, officer of employee of the State of New Hampshire or of the governing body of the locality or localities in which the Project is to be performed, who exercises any functions or responsibilities in the review or approval of the undertaking or carrying out of such Project, shall participate in any decision relating to this Agreement which affects his or her personal interests or the interest of any corporation, partnership, or association in which he or she is directly or indirectly interested, nor shall he or she have any personal or pecuniary interest, direct or indirect, in this Agreement or the proceeds thereof.
- 14. GRANTEE'S RELATION TO THE STATE. In the performance of this Agreement, the Grantee, its employees, and any subcontractor or subgrantee of the Grantee are in all respects independent contractors, and are neither agents nor employees of the State. Neither the Grantee nor any of its officers, employees, agents, members, subcontractors or subgrantees, shall have authority to bind the State nor are they entitled to any of the benefits, worker's compensation or emoluments provided by the State to its employees.
- 15. ASSIGNMENT AND SUBCONTRACTS. The Grantee shall not assign, or otherwise transfer any interest in this Agreement without the prior written consent of the State. None of the Project Work shall be subcontracted or subgranteed by the Grantee other than as set forth in Exhibit A without the prior written consent of the State.
- 16. INDEMNIFICATION. The Grantee shall defend, indemnify and hold harmless the State, its officers and employees, from and against any and all losses suffered by the State, its officers and employees, and any and all claims, liabilities or penalties asserted against the State, its officers and employees, by or on behalf of any person, on account of, based on, resulting from, arising out of (or which may be claimed to arise out of) the acts or omissions of the Grantee of Subcontractor, or subgrantee or other agent of the Grantee. Notwithstanding the foregoing, nothing herein contained shall be deemed to constitute a waiver of the sovereign immunity of the State, which immunity is hereby reserved to the State. This covenant shall survive the termination of this agreement.

#### 17. INSURANCE AND BOND.

17.1 The Grantee shall, at its sole expense, obtain and maintain in force, or shall require any subcontractor, subgrantee or assignee performing Project work to obtain and maintain in force, both for the

benefit of the State, the following insurance:

- 17.1.1 statutory worker's compensation and employees liability insurance for all employees engaged in the performance of the Project, and
- 17.1.2 comprehensive public liability insurance against all claims of bodily injuries, death or property damage, in amounts not less than \$2,000,000 for bodily injury or death any one incident, and \$500,000 for property damage in any one incident; and
- 17.2 The policies described in subparagraph 18.1 of this paragraph shall be the standard form employed in the State of New Hampshire, issued by underwriters acceptable to the State, and authorized to do business in the State of New Hampshire. Each policy shall contain a clause prohibiting cancellation of modification of the policy earlier than ten (10) days after written notice has been received by the State.
- 18. WAIVER OF BREACH. No failure by the State to enforce any provisions hereof after any Event of Default shall be deemed a waiver of its rights with regard to that Event, or any subsequent Event. No express waiver of any Event of Default shall be deemed a waiver of any provisions hereof. No such failure or waiver shall be deemed a waiver of the right of the State to enforce each and all of the provisions hereof upon any further or other default on the part of the Grantee.
- 19. **NOTICE.** Any notice by a party hereto to the other party shall be deemed to have been duly delivered or given at the time of mailing by certified mail, postage prepaid, in a United States Post Office addressed to the parties at the addresses first above given.
- 20. <u>AMENDMENT.</u> This agreement may be amended, waived or discharged only by an instrument in writing signed by the parties hereto and only after approval of such amendment, waiver or discharge by the Governor and Council of the State of New Hampshire.
- 21. CONSTRUCTION OF AGREEMENT AND TERMS. This Agreement shall be construed in accordance with the law of the State of New Hampshire, and is binding upon and inures to the benefit of the parties and their respective successors and assignees. The captions and contents of the "subject" blank are used only as a matter of convenience, and are not to be considered a part of this Agreement or to be used in determining the intent of the parties hereto.
- 22. <u>THIRD PARTIES.</u> The parties hereto do not intend to benefit any
- third parties and this Agreement shall not be construed to confer any such benefit.
- 23. ENTIRE AGREEMENT. This Agreement, which may be executed in a number of counterparts, each of which shall be deemed an original, constitutes the entire agreement and understanding between the parties, and supersedes all prior agreements and understandings relating hereto.



# Exhibit A Scope of Services

The City of Manchester shall perform the following Items as described in the detailed proposal titled Nutts Pond Watershed Improvement Project, revised version submitted by the City of Manchester dated February 28, 2006:

Performance Target 1: Installation of sediment forebay at East Inlet.

Verification: Measurement of captured sediments.

Milestone 1A: BMP Design, Permitting and Bidding.

Task 1. Design and size forebays for the East Inlet.

Task 2. Prepare Plans and Technical Specifications suitable for construction

Task 3. Acquire the proper permits obtained from local, state and federal sources and obtain easements and permission from landowners.

Task 4. Prepare Bid Documents and award bid to qualified contractor.

Milestone 1B: Prepare Site.

Task 5. Excavate necessary material to allow installation of forebay and wetland restoration.

Milestone 1C: Install gabions.

Task 6. Gabions will be installed according to plans.

Milestone 1D: Prepare O&M Plan and Monitor Maintenance.

Task 7. Complete an O&M Plan for cleaning and maintaining the forebays on a routine basis.

Task 8. Monitor the amount of sediment removed during each cleaning activity and include in the final report the annual estimated volume of sediment removed.

<u>Performance Target 2</u>: Restoration and enhancement of wetland at East Inlet

Verification: Wetland Health, plant regeneration, growth and survival rate.

Milestone 2A: Wetland Cleanup Design, Permitting and Bidding at East Inlet.

Task 9. Prepare wetland cleanup strategies and design wetland restoration utilizing proper plant and seed mixes.

Task 10. Prepare Plans and Technical Specifications suitable for wetland restoration

Task 11. Acquire the proper permits obtained from local, state and federal sources and obtain easements and permission from landowners.

Task 12. Prepare Bid Documents and award bid to qualified contractor.

Milestone 2B: Prepare and clean the site.

Task 13. Prepare the site with the proper soils after the excavation is complete.

Milestone 2C: Stabilize the wetlands & plant native vegetation according to the plans.

Task 14. Native vegetation installed by the contractor.

Task 15. The contractor will seed the area using the proper wetland mix per restoration plans

Milestone 2D: Monitor Wetland restoration

Task 16. Monitor plant growth and wetland health after construction is complete

<u>Performance Target 3</u>: Installation of sediment forebay prior to south inlet.

Verification: Measurement of captured sediments.

Milestone 3A: BMP Design, Permitting and Bidding.

Task 17. Design and size forebay and diversion structures for the South Inlet.

Task 18. Prepare Plans and Technical Specifications suitable for construction

Task 19. Acquire the proper permits obtained from local, state and federal sources and obtain easements and permission from landowners.

Task 20. Prepare Bid Documents and award bid to qualified contractor.

Milestone 3B: Prepare Site.

Task 21. Excavate necessary material to allow installation of forebay, manholes, piping, and headwalls.

Milestone 3C: Installation of diversion manholes, piping, and headwalls.

Task 22. After excavation is complete contractor is to install the manholes, piping, and headwalls according to the plans.

Milestone 3D: Install gabions.

Task 23. Gabions will be installed according to plans.

<u>Performance Target 4</u>: Restoration of wetlands around the south inlet.

Verification: Wetland Health, plant regeneration, growth and survival rate.

Milestone 4A: Wetland Cleanup Design, Permitting and Bidding at East Inlet.

Task 24. Prepare wetland cleanup strategies and design wetland restoration utilizing proper plant and seed mixes.

Task 25. Prepare Plans and Technical Specifications suitable for wetland restoration

Task 26. Acquire the proper permits obtained from local, state and federal sources and obtain easements and permission from landowners.

Task 27. Prepare Bid Documents and award bid to qualified contractor.

Milestone 4B: Prepare and clean the site.

Task 28. Prepare the site with the proper soils after the excavation is complete.

Milestone 4C: Stabilize the wetlands & plant native vegetation according to the plans.

Task 29. Native vegetation installed by the contractor.

Task 30. The contractor will seed the area using the proper wetland mix per restoration plans

Milestone 4D: Monitor Wetland restoration

Task 31. Monitor plant growth and wetland health after construction is complete.

#### Performance Target 5: QAPP and Modeling.

Verification: Reduction in sediment loadings throughout the watershed.

Documentation of the environmental benefits of the proposed project through load reduction modeling and pre- and post construction photographs.

Milestone 5A: Develop QAPP

Task 32. A QAPP will be developed for the load reduction model used for evaluating environmental benefits. The QAPP will be developed in accordance with EPA guidelines.



#### Milestone 5B: Perform Modeling

Task 33. Utilize the appropriate pollutant load reduction model (for example: SWMM, HSPF, GWLF, Eutromod, P8 etc...) in order to provide a quantitative method to evaluate the proposed BMP's environmental impacts. The model will be used to estimate target pollutants before and after project implementation.

#### Milestone 5C: Watershed Restoration Plan

Task 34. Target additional Pollutant Sources throughout the watershed.

Task 35. Analyze actions to reduce these pollutant loadings.

Task 36. Estimate these pollutant reductions.

Task 37. Complete a Watershed Restoration Plan that meets the "a – i" requirements of the EPA guidance, including recommended pollutant reduction requirements. Submit the completed plan to DES.

#### Milestone 5D: Public Education and Outreach

Task 38. Prepare a brochure and distribute to local residents and commercial businesses summarizing the findings and recommendations from the Watershed Restoration Plan.

#### Performance Target 6: Winter Sanding Reduction Program.

Verification: Reduction in sediment making it to the forebays.

Milestone 6A: Survey of sand / salt use.

Task 39. Contact commercial establishments and ask for sand / salt amounts used annually.

Milestone 6B: Training to reduce application.

Task 40. Train the contractors to help reduce the amount of sand / salt used. And try to get the commercial establishments to use less of the parking area during non-peak hours.

Milestone 6C: Follow up survey to analyze Sanding Program progress.

Task 41. Perform a follow up survey involving all the commercial businesses that took part in the sand reduction program to determine what methods were used to reduce sand use, how well those methods worked, identify any problems that were encountered during the process, whether the problems were resolved and if so, how were they resolved.

#### Project final and quarterly report Tasks:

Task 20: Submit electronic quarterly reports documenting all work performed on the project.

Task 21: Submit a comprehensive final report in both electronic and hard-copy to DES on or before the project completion date. The final report shall comply with the DES and EPA requirements found in the final report guidance document on the DES Watershed Assistance Section webpage at:

www.des.state.nh.us/wmb/was/docs/Final Report Guidance Version1.doc

All materials produced for public distribution shall be reviewed and approved by NH DES prior to distribution and shall include a citation that funding was provided by DES along with the DES logo.

# **Exhibit B Contract Price and Method of Payment**

All services shall be performed to the satisfaction of DES before payment is made. All payments shall be made upon receipt and approval of stated outputs and upon receipt of an associated invoice. Documentation of match costs (including the value of volunteer labor) shall be provided with each payment request. The final invoice shall include total match cost documentation of \$231,410.00. Payment shall be made in accordance with the following schedule based upon completion of specific outputs described in Exhibit A:

| Upon completion and DES approval of Milestone 1A             | \$5,000      |
|--|--------------|
| Upon completion and DES approval of Milestone 1B, and 1C     | \$3,000      |
| Upon completion and DES approval of Milestone 1D             | \$1,000      |
| Upon completion and DES approval of Milestone 2A             | \$5,000      |
| Upon completion and DES approval of Milestone 2B, and 2C     | \$5,000      |
| Upon completion and DES approval of Milestone 2D             | \$5,000      |
| Upon completion and DES approval of Milestone 3A             | \$5,000      |
| Upon completion and DES approval of Milestone 3B, 3C, and 3D | \$3,000      |
| Upon completion and DES approval of Milestone 4A             | \$5,000      |
| Upon completion and DES approval of Milestone 4B, and 4C     | \$3,000      |
| Upon completion and DES approval of Milestone 4D             | \$5,000      |
| Upon completion and DES approval of Milestone 5A, 5B, and 5C | \$5,000      |
| Upon completion and DES approval of Milestone 5D             | \$5,000      |
| Upon completion and DES approval of Milestone 6A, 6B, and 6C | \$2,000      |
| Upon completion and DES approval of Tasks 20 and 21          | \$3,000      |
| Tot  | tal \$60,000 |



# **Exhibit C Special Provisions**

Subparagraph 1.7 of the General Provisions shall not apply to this Agreement. Paragraph 17 of the General Provisions shall not apply to the Grantee, as they have certified that only the subcontractors will be performing construction activities and that all sub-contractors shall meet the provisions of Paragraph 17.

# 2

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Finance respectfully recommends, after due and careful consideration, that Appropriating Resolutions:

"A Resolution appropriating to the Manchester Airport Authority the sum of \$52,321,042 from Special Airport Revenue Funds for Fiscal Year 2007."

"A Resolution appropriating the sum of \$16,664,386 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2007."

"A Resolution appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,537,900 from School Food and Nutrition Services Revenues for Fiscal Year 2007."

"A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2007."

"Continuation of the Central Business Service District."

"Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2007 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year Under the Financing Agreement."

ought to pass and layover.

(Unanimous vote with the exception of Alderman O'Neil who was absent.)

Respectfully submitted,

Lul Permus-

Clerk of Committee

In the year Two Thousand and Six

#### A RESOLUTION

"A Resolution appropriating to the Manchester Airport Authority the sum of \$52,321,042 from Special Airport Revenue Funds for Fiscal Year 2007."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the sum of Fifty-Two Million, Three Hundred Twenty-One Thousand, Forty-Two Dollars (\$52,321,042) from Special Airport Revenue funds shall be hereby appropriated to the Manchester Airport Authority for Fiscal Year 2007 as follows:

| Salaries and Wages  Line Item Expenses  Capital Outlay   | 4,937,297<br>18,461,100<br>4,464,000         |
|--|--|
| RESTRICTED FUNDS: Subject to the approval of the Finance Officer.                              |  |
| Employee Benefits & Insurance.  Debt - Principal and Interest.  Debt - Bond Financing.  Audit. | 1,708,645<br>22,300,000<br>250,000<br>50,000 |
| RESTRICTED FUNDS: Subject to the approval of the Board of Mayor and                            | Aldermen.                                    |
| Contingency  | 150,000                                      |
| TOTAL  | 52,321,042                                   |



In the year Two Thousand and Six

#### A RESOLUTION

"A Resolution appropriating the sum of \$16,664,386 from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2007."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the sum of Sixteen Million, Six Hundred Sixty-Four Thousand, Three Hundred Eighty-Six Dollars (\$16,664,386) from Sewer User Rental Charges to the Environmental Protection Division for Fiscal Year 2007 be hereby appropriated for operation Expenses as follows:

| Salaries and Wages.  Line Item Expenses.  Capital Outlays.          | 2,374,007<br>4,598,564<br>1,224,328       |
|---|---|
| RESTRICTED FUNDS: Subject to the approval of the Finance Officer.   |   |
| Employee Benefits   | 932,149<br>184,799<br>7,044,737<br>19,002 |
| RESTRICTED FUNDS: Subject to the approval of the Board of Mayor and | Aldermen.                                 |
| Contingency   | ****                                      |
| TOTAL   | . \$16,664,386                            |

In the year Two Thousand and Six

#### A RESOLUTION

"A Resolution appropriating to the Manchester School Food and Nutrition Services Program the sum of \$5,537,900 from School Food and Nutrition Services Revenues for Fiscal Year 2007."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the sum of Five Million, Five Hundred Thirty-Seven Thousand, Nine Hundred Dollars (\$5,537,900) from School Food and Nutrition Services revenues shall hereby be appropriated to the Manchester School Food and Nutrition Services program for Fiscal Year 2007 as follows:

<u>RESTRICTED FUNDS:</u> Subject to the approval of the Manchester Board of School Committee.

\$5,537,900



In the year Two Thousand and Six

#### A RESOLUTION

"A Resolution appropriating to the Central Business Service District the sum of \$244,000 from Central Business Service District Funds for Fiscal Year 2007."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

That the sum of Two Hundred and Forty Four Thousand Dollars (\$244,000) from Central Business Service District funds shall be hereby appropriated to the Central Business Service District for Fiscal Year 2007 as follows:

RESTRICTED FUNDS: Subject to the approval of the Planning Director.

Expenses.....\$244,000

TOTAL...\$244,000



# CITY OF MANCHESTER

#### **Planning and Community Development**

Planning Community Improvement Program Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 25, 2006

Honorable Board of Mayor and Aldermen City Hall One City Hall Plaza Manchester, New Hampshire 03101

re: Central Business Service District

#### Honorable Board Members:

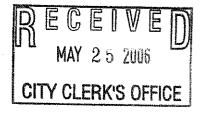
In accordance with the provisions of Chapter 37, I am forwarding a copy of the recommendations of the Central Business District Advisory Board. The Advisory Board is charged with the responsibility of recommending to the Board of Mayor and Aldermen on the Central Business District services and geographic area. As such it is germane to your final adoption of the CBSD Budget Resolution and Continuation Resolution you will be finalizing shortly.

If you have any questions, I will be available at your next meeting.

Sincerely,

Robert S. MacKenzie, AICP

Director of Planning & Community Development





# Report of the Central Business District Advisory Board

#### To the Board of Mayor and Aldermen

May 2006

This report is pursuant to the requirements of Chapter 37: Central Business District Service Districts of the City Ordinances and to the requirements of New Hampshire Revised Statutes Annotated 31:122. In Manchester, there is only one district generally encompassing the Downtown and Millyard. Each property owner pays an additional surcharge on the property tax. Currently the City contracts with a non-profit organization – Intown Manchester – to carry out the services within the area.

Advisory Board Responsibilities

The CBSD Advisory Board is established to provide recommendations to the Board of Mayor and Aldermen on the geographic area of Central Business Service Districts and on the types and levels of services to be offered. The Advisory Board normally meets in the early part of each year to provide a recommendation into the BMA budget process.

Recommendations to the Board of Mayor and Aldermen

It is the recommendation of the Central Business Service District Advisory Board that:

- 1) That the geographic area of the current district is adequate and does not need to be changed in 2006. The area of the district will likely need to be reevaluated in 2007.
- 2) That Intown Manchester continue to focus on the following activities with the CBSD tax proceeds:
  - a) Maintenance. This to include: insuring that the public areas are clean and inviting (including after events in the evenings and weekends); advocating programs with businesses to promote cleanliness; coordinating maintenance responsibilities with various City Departments; and advocating for infrastructure improvements in the District.
  - b) Beautification. This to include: improving the greening and flowering of the district; promoting façade and private sign upgrades in the district; insuring that seasonal displays are installed and removed on a timely basis; and promoting lively streetscape features such as banners.
  - c) Communication and Marketing. This to include: advocating for downtown life and business; outreaching to and getting to know all property owners and businesses; and communicating with the public, property owners and businesses about events and other important information about the downtown.

It should be noted that Intown may conduct other activities, such as concerts, but that the funding from the CBSD assessment be directed towards the above three services and that other activities be funded from other sources.

### Report of the Central Business District Advisory Board

Peter Ramsey, Co-Chair

Tim Bechert, Co-Chair

Coorse Intruino

Ron Dupont

Line Loob

Maul Mansback



In the year Two Thousand and Si

#### A RESOLUTION

"Continuation of the Central Business Service District."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS,

the establishment of Central Business Service Districts are authorized under provision of RSA 31:120 through RSA 31:125; and

WHEREAS,

the Board of Mayor and Aldermen have further authorized the establishment of such districts and has set forth procedures for the same in Chapter 37 of the Code of Ordinance; and

WHEREAS,

the Board of Mayor and Aldermen, after consultation with and on the recommendation of an Advisory Board of owners and tenants within the proposed district, find that a central business service district should be continued:

# NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN:

 That the recommended boundaries of the district within which services will be provided and assessments made on the property are:

Beginning at a point at the intersection of River Road and west North Street; thence easterly along West North Street and continuing along North Street to Bay Street;

thence southerly along Bay Street to Sagamore Street;

thence along Sagamore Street to a point at the rear property line of property at 1631 Elm Street (Rite-Aid);

thence generally southerly along the rear property line of property at 1631 Elm Street (Rite-Aid) to Pennacook Street;

thence westerly along Pennacook Street to an alley - Elm Street East

thence southerly along Elm Street East Back Alley to Blodgett Street; thence westerly along Blodgett Street to an alley – Elm Street East Back; thence southerly along Elm Street East Back Alley to Brook Street;

thence easterly along Brook Street to Temple Court;

thence southerly along Temple Court to Harrison Street;

thence westerly along Harrison Street to the rear of the building at 1415 Elm Street (the "Sears Building" so-called);

thence southerly along the rear of the building at 1415 Elm Street (the "Sears Building" so-called) to Prospect Street;

thence continuing southerly along the rear property line of 1331-1375 Elm Street to Myrtle Street;

thence continuing southerly along an alley - North Church Street to Orange Street;

# City of Manchester New Hampshire

In the year Two Thousand and Six

### A RESOLUTION

"Continuation of the Central Business Service District."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

thence easterly along Orange Street to Chestnut Street; thence southerly along Chestnut Street to Bridge Street; thence easterly along Bridge Street to Pine Street; thence southerly along Pine Street to Manchester Street; thence westerly along Manchester Street to Chestnut Street; thence southerly along Chestnut Street to Auburn Street; thence westerly along Auburn Street to Elm Street; thence westerly along Elm Street to the southerly point of property on the west side of Elm Street now or formerly of Allen-Bradely Corp.; thence westerly along the property line of said property to the B & M rail line;

thence continuing westerly across property of the City of Manchester to the Merrimack River;

thence northerly along the Merrimack River to the Amoskeag Dam; thence easterly from the Amoskeag Dam on a line extending to River Road:

thence northerly along River Road to West North Street; said point also being the point of beginning.

That the district is to include all properties within the described boundaries.

- That the assessed values of the properties for purposes of assessments be established in accordance with the property tax maps and records as maintained by the Board of Assessors.
- That services to be provided within the District consist of daily cleaning, maintenance and inspection of incidental repairs within the right-of-way in the District and such other services as determined by the Advisory Board.
- 4. That the special district assessment for Fiscal Year 2007 be established at \$.64 per thousand dollars of assessed value of each property assessed within the district.
- 5. That the special district assessment shall be made against the owners of all commercial, all industrial and residential properties of five units or more, (excluding multi unit condominium properties).

Resolved, that this Resolution shall take effect upon its passage.



### Robert S. MacKenzie, AICP Director

# CITY OF MANCHESTER

### Planning and Community Development

Planning Community Improvement Program Growth Management



Staff to: Planning Board Heritage Commision Millyard Design Review Committee

May 25, 2006

Honorable Board of Mayor and Aldermen City Hall One City Hall Plaza Manchester, New Hampshire 03101

re: Central Business Service District

### Honorable Board Members:

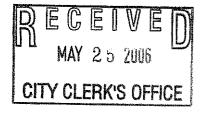
In accordance with the provisions of Chapter 37, I am forwarding a copy of the recommendations of the Central Business District Advisory Board. The Advisory Board is charged with the responsibility of recommending to the Board of Mayor and Aldermen on the Central Business District services and geographic area. As such it is germane to your final adoption of the CBSD Budget Resolution and Continuation Resolution you will be finalizing shortly.

If you have any questions, I will be available at your next meeting.

Sincerely,

Robert S. MacKenzie, AICP

Director of Planning & Community Development



# Report of the Central Business District Advisory Board

- Laconson

To the Board of Mayor and Aldermen

May 2006

This report is pursuant to the requirements of Chapter 37: Central Business District Service Districts of the City Ordinances and to the requirements of New Hampshire Revised Statutes Annotated 31:122. In Manchester, there is only one district generally encompassing the Downtown and Millyard. Each property owner pays an additional surcharge on the property tax. Currently the City contracts with a non-profit organization – Intown Manchester – to carry out the services within the area.

Advisory Board Responsibilities

The CBSD Advisory Board is established to provide recommendations to the Board of Mayor and Aldermen on the geographic area of Central Business Service Districts and on the types and levels of services to be offered. The Advisory Board normally meets in the early part of each year to provide a recommendation into the BMA budget process.

Recommendations to the Board of Mayor and Aldermen

It is the recommendation of the Central Business Service District Advisory Board that:

- 1) That the geographic area of the current district is adequate and does not need to be changed in 2006. The area of the district will likely need to be reevaluated in 2007.
- 2) That Intown Manchester continue to focus on the following activities with the CBSD tax proceeds:
  - a) Maintenance. This to include: insuring that the public areas are clean and inviting (including after events in the evenings and weekends); advocating programs with businesses to promote cleanliness; coordinating maintenance responsibilities with various City Departments; and advocating for infrastructure improvements in the District.
  - b) Beautification. This to include: improving the greening and flowering of the district; promoting façade and private sign upgrades in the district; insuring that seasonal displays are installed and removed on a timely basis; and promoting lively streetscape features such as banners.
  - c) Communication and Marketing. This to include: advocating for downtown life and business; outreaching to and getting to know all property owners and businesses; and communicating with the public, property owners and businesses about events and other important information about the downtown.

It should be noted that Intown may conduct other activities, such as concerts, but that the funding from the CBSD assessment be directed towards the above three services and that other activities be funded from other sources.

# Report of the Central Business District Advisory Board

Peter Ramsey, Co-Chair

Tim Bechert, Co-Chair

ul Mansback

2

# City of Manchester New Hampshire

In the year Two Thousand and Six

### A RESOLUTION

"Appropriating all Incremental Meals and Rooms Tax Revenue Received by the City in Fiscal Year 2007 and held in the Civic Center Fund, for the payment of the City's Obligations in Said Fiscal Year Under the Financing Agreement."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS,

IN ACCORDANCE WITH THE New Hampshire Revised Statutes Annotated, the Board of Mayor and Aldermen established on the books of the City the Civic Center Fund; and

WHEREAS,

Meals and Rooms Tax Revenue, in excess of \$454,927 in each year, paid to the City by the State of New Hampshire in accordance with RSA 78-A shall be held in the Civic Center Fund to pay the City's share of the costs of constructing the Manchester Civic Center; and

WHEREAS,

in accordance with the terms of the Financing Agreement between the City and the Manchester Housing and Redevelopment Authority dated as of March 1, 2000 (the "Financing Agreement"), the City must appropriate funds held in the Civic Center Fund to meet its obligations under the Financing Agreement;

NOW, THEREFORE, be it resolved as follows:

 That all Incremental Meals and Rooms Tax Revenue received by the City in Fiscal Year 2007 and held, in the Civic Center Fund, is hereby appropriated for the payment of the City's obligations in said fiscal year in accordance with the terms of the Financing Agreement.

Resolved, that this Resolution shall take effect upon its passage.



# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration that the Board establish a policy preventing part-time employees from purchasing health insurance upon retirement.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,

Lell Berner

AB

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, that former retired part-time City employees not be allowed to sign up for health insurance during the open enrollment period.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,

Jul Sermer



# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester."

providing for the establishment of a new class specification, Airport Financial Manager, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,

In a Beauce

# City of Manchester New Hampshire

In the year Two Thousand and

Six

### AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Airport Financial Manager) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

### SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926

### SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Airport Financial Manager, Class Code 9926, Grade 24

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Establish Airport Financial Manager, Class Code 9926, Grade 24 exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.







# City of Manchester, New Hampshire

### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Airport | Financial Manager |
|-------------------|---------|-------------------|
| Class Code Number | 9926-24 |                   |

### **General Statement of Duties**

Manages Airport revenue, bond covenant compliance and accounting interface with City systems; plans, coordinates and supervises Airport accounting personnel; performs other related work as required.

### Distinguishing Features of the Class

The principle functions of an employee in this class are to ensure that Airport revenue is managed in the most effective manner and to ensure that all Airport bond covenant compliance and Trustee requirements are met in a timely fashion. Work is performed under the supervision and direction of the Assistant Airport Director for Finance and Administration and the Airport Director, but considerable leeway is granted for the exercise of independent judgment and initiative. Supervision is exercised over the work of all financial staff employees and related personnel. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other city employees, outside auditors, business organizations and the public. The principal duties of this class are performed in a general office environment.

# Examples of Essential Work (illustrative only)

- Develops and manages the implementation of fiscal control measures and balancing mechanisms for the Airport's financial operations, including revenue analysis, cash balance determinations and weekly, monthly and annual reconciliation's;
- Researches and implements bond compliance measures for applicable statutory or regulatory requirements affecting cash flow or related public fiscal issues;



- Monitors the balancing of daily revenue, including the responsibility for all funds received;
- Handles all Airport responsibilities for long term debt;
- Processes timely transfers and principle interest payments for all of the Airport's long term debt instruments;
- Receives and evaluates Airport related competitive offerings as appropriate and recommends beneficial opportunities;
- Supervises, trains and evaluates employees involved in the Airport's financial operations, including direct supervision to ensure compliance with all applicable laws, regulations and general accounting standards;
- Assists the Airport Director and the Assistant Airport Director with the compilation and preparation of the Airport" Annual Audit Report and the accompanying Management Discussion and Analysis;
- Plays a major role in the preparation of the Airport's annual budget;
- Utilizes and manipulates the Airport's rates and charges financial model to assure optimum annual airlines rates and charges preparation; makes recommendations on same;
- Manages and maintains the Airport's Passenger Facility Charge (PFC) application and continuing requirements and collection process;
- Closely coordinates with the Assistant Airport Director for engineering and planning on all capital improvement projects; reviews and makes recommendations on the financial impacts of same;
- Closely coordinates with the Assistant Airport Director for Properties and Contract Management on all matters regarding the rental car Customer Facility Charge (CPC) and the accounting of same;
- Liaison with FAA regional and national personnel on all required financial compliance matters;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate superiors and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principle practices and new developments in assigned work areas;

# Required Knowledge, Skills and Abilities (at time of appointment)

- Comprehensive knowledge of revenue management processes;
- Comprehensive knowledge of financial analysis and reporting;
- Comprehensive knowledge of Generally Accepted Accounting Principles;
- Comprehensive knowledge of data processing technology as applied to financial and accounting functions;
- Comprehensive knowledge of financial office procedures and practices;
- Comprehensive knowledge of accounts payable, cost accounting and payroll processes;

- ACAir
  - Comprehensive knowledge of FAA Pt.158 Passenger Facility Charge processes and procedures;
  - Comprehensive knowledge of FAA financial reporting processes and procedures as they apply to airport revenue;
  - Comprehensive knowledge of FAA Airport Improvement Program processes and procedures;
  - Comprehensive knowledge of Airport/Airline Rates and Charges processes and procedures;
  - Comprehensive knowledge of the Airport and the City budgeting processes and procedures;
  - Thorough knowledge of current principles, practices and ethics used in receiving, disbursing, depositing and securing large amounts of public funds;
  - Thorough knowledge of balance sheet and income statement transactions;
  - Thorough knowledge of the principles and practices of personnel administration within the public sector;
  - Ability to interpret accounting reports and records and to analyze accounting data for control and reporting purposes;
  - Ability to handle confidential and administrative information with tact and discretion;
  - Ability to supervise, train and evaluate the work of others;
  - Ability to understand and follow oral and/or written policies, procedures and instructions;
  - Ability to prepare and present accurate and reliable reports containing findings and recommendations;
  - Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
  - Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
  - Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
  - Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
  - Integrity, ingenuity and inventiveness in the performance of assigned tasks.

### **Acceptable Experience and Training**

- Graduation from an accredited college or university with a Bachelor's Degree in Public Administration, Accounting, Finance or a related field; and
- Five years of experience in Accounting, including Airport and Municipal accounting, preferably with a CPA accreditation.



### Required Special Qualifications

None.

### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

| Approved by: | Date: |
|--------------|-------|
| Approved by. |       |



# CITY OF MANCHESTER

Human Resources Department



One City Hall Plaza

Manchester, New Hampshire 03101

Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065

www.ManchesterNH.gov

May 4, 2006

Alderman Ted Gatsas, Chairman Human Resource and Insurance Committee City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Request for New Position/Class Spec, Airport

Dear Alderman Gatsas and Members of the Committee:

On behalf of Kevin Dillon, Airport Director, I am requesting the establishment of a new position and a new class specification. The new position/class specification that is proposed is an Airport Financial Manager, salary grade 24.

Mr. Dillon has studied his financial organization within the Airport. He has concluded that there needs to be a change in the duties and responsibilities of the Business Service Officer which will create a vacuum in the Financial Division. Specifically, if you will look at the proposed organization chart, there is a significant need for a high level financial person in the Property Management and Contracts Division. Therefore, Mr. Dillon would like your approval to move the Business Service Officer position to the Property Management Division. There is a need for a higher level financial position to include in depth knowledge of FAA financial requirements in the Division of Finance and Administration. As such, Mr. Dillon is proposing a new class specification which would meet the higher level of knowledge and experience that is much needed at the Airport to fulfill those requirements as well as to manage the day to day financial operations of the Airport.

I am attaching a proposed class specification for your review and information. I am also enclosing a copy of a revised organizational chart.

Your favorable approval of these requests would be greatly appreciated.

Respectfully submitted, Wugnur a - Lamberdin

Virginia A. Lamberton Human Resources Director

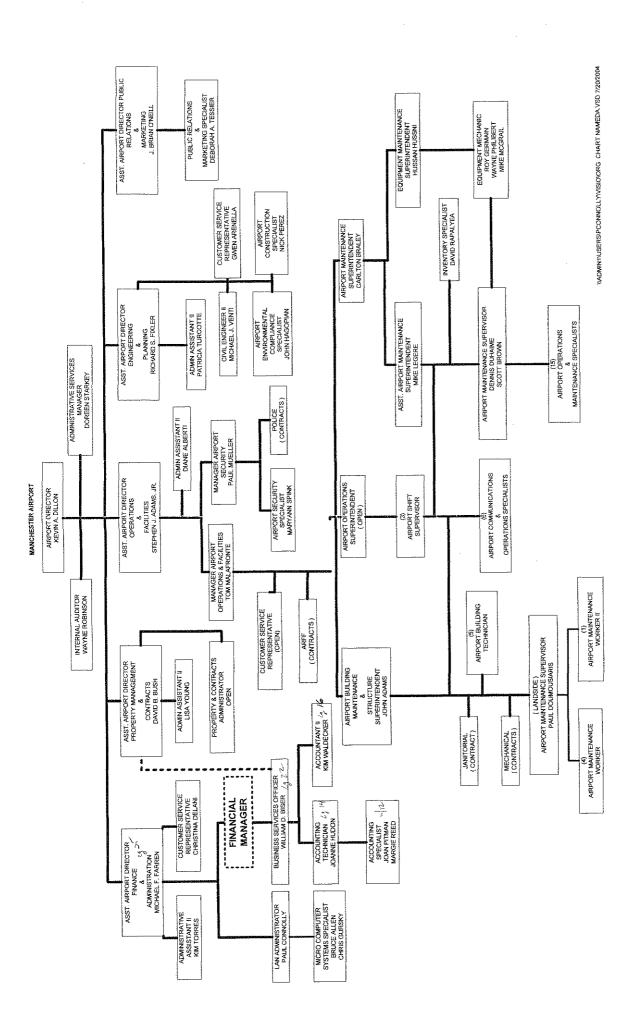
Attachments

RECEIVED

MAY - 4 2006

CITY CLERK'S OFFICE







# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Canine Handler Supervisor) of the Code of Ordinances of the City of Manchester."

providing for the establishment of a new class specification, Canine Handler Supervisor, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,

Tel Benezi

# City of Manchester New Hampshire

AD

In the year Two Thousand and

six

### AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Canine Handler Supervisor) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

### SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Establish new classification, Canine Handler Supervisor

### SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Establish Canine Handler Supervisor, Grade 17, non-exempt

### SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Establish new class specification, Class Code 9152, Canine Handler Supervisor (See attached).

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.





# City of Manchester, New Hampshire

### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Canine Handler Supervisor |
|-------------------|---------------------------|
| Class Code Number | 9152-17                   |

# General Statement of Duties

Responsible for supervising Canine Handlers and carries out administrative functions and record keeping in relation to the Canine Program.

Patrols airport facilities in the secure, sterile, and non-secure areas to promptly respond to threats that affect public safety or air carrier operations. Conducts canine training and/or patrols within the view of the public to provide a noticeable deterrent. Performs related work as required.

### Distinguishing Features of the Class

The principal function of an employee in this class is to serve as the lead worker for and to participate with Canine Handlers in conducting emergency and routine security sweeps for the detection or deterrence of explosive threats in the airport environment. The work is performed under the supervision and direction of the Airport Security Manager but leeway is granted for the exercise of independent judgment and initiative. Ensures and participates in the coordination and conducts of regular canine training. Performs daily canine care and ensures the health and welfare of the canine in order to optimize team performance. This highly specialized class is a working supervisory level civilian canine handler position inspecting airport facilities for the Airport, air carriers, and tenants. This position requires specialty training as provided by the Transportation Security Administration (TSA) in the management of canines dedicated to explosives detection. This position is responsible for the ongoing and continuous training and care of the assigned dog as well as ensuring care of team dogs. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other staff members, government agencies, law enforcement officials, Airport



tenants, other City employees and the public. The principal duties of this class are performed in both an indoor and outdoor work environment, often in extreme weather conditions. An employee in this class may also be required to handle and/or manage hazardous waste and if so, appropriate training will be provided annually.

# Examples of Essential Work (illustrative only)

- Supervises and performs a wide variety of tasks involved with the operation of a canine team in an airport setting;
- Monitors activities of the canine program to ensure safety, security and compliance with airport, state and federal regulations;
- Ensures that various reporting, training and response requirements of the program are met:
- Ensures that team members properly store and maintain training materials;
- Ensures that pertinent documentation is prepared and appropriate records are maintained:
- Ensures that proper scheduling is maintained;
- Maintains a presence on a rotating basis in operational areas of the airport during peak and non-peak hours.
- Maintains liaison with Airport Operations, Airport Law Enforcement Unit and Airport Fire Department as well as surrounding Law Enforcement Agencies and Canine Teams.
- Responsible for ongoing canine training as mandated by the TSA to include wide and narrow body aircraft, airline terminal and luggage, freight, warehouse and vehicles.
- Responsible for care and feeding of the canine, including maintaining the kennels in a sanitary condition.
- Maintains necessary training records as defined by the TSA. Operates an Airport Vehicle equipped with a kennel to transport the canine to various work sites and home.
- Uses explosive detection canines to inspect facilities, passengers, baggage, etc. for explosives.
- Enforces Airport security rules and regulations;
- Serves as a member of Airport emergency response team;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Writes reports as required;
- Performs other directly related duties consistent with the role and function of the classification.



# Required Knowledge, Skills and Abilities (at time of appointment)

### Knowledge of:

- Techniques for dealing with the public and employees, in person, often where relations may be confrontational or strained;
- Thorough knowledge of leadership and team building principles;
- Record keeping principles and practices;
- Computer applications related to the work;

### Skill in:

- Expressing verbal and physical enthusiasm to motivate the canine;
- Learning and applying information regarding airport procedures, topography, operations and facilities;
- Working without close supervision in both emergency and standard work situations;
- Assessing and prioritizing situations and determining appropriate response;
- Maintaining accurate records of training performed;
- Using initiative and independent judgment within established procedural guidelines;
- Contributing effectively to the accomplishment of team or work unit goals, objectives and activities;
- Speaking English effectively to communicate in person, on the radio or over the telephone;
- Accurately perceiving, soundly reasoning and correctly judging situations;
- Taking charge of and directing others in emergencies or other dangerous incidents;
- Writing accurate reports.
- Ability to learn and understand safe handling of explosives used in canine training according to TSA mandates;
- Ability to understand and follow principles and practices of canine handling techniques, motivation, care and feeding;
- Ability to learn and understand applicable laws, codes and regulations including Airport Security requirements;
- Ability to understand and follow safety principles, practices and equipment related to the work:
- Ability to train and handle a canine for the purposes of explosive detection;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks;
- Ability to learn and apply Airport security and safety rules and regulations;
- Ability to discern presence of hazards and/or potentially dangerous situations;



### **Acceptable Experience and Training**

- Graduation from High School or possession of a GED; and
- One year of fulltime work experience related to the care, handling and training of working canine used in security/enforcement; or
- Associate's Degree in Criminal Justice or some law enforcement training preferred;
- Experience in an airport or security setting is desirable;
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

### Required Special Qualifications

- Must successfully complete the TSA Explosives Detection Handler Course during probation;
- Requires a three-year commitment upon successful completion of the course
- Must posses a valid New Hampshire Driver's License;
- Annual certification by the TSA Explosives Detection Handler program;
- Work extended shifts, which may include weekends and holidays;
- Take calls and be able to respond to the airport within a maximum of 45 minutes;
- On call status

### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or
  without reasonable accommodation, which permits the employee to understand
  department and safety rules and regulations and work around high traffic areas;
- Capable of meeting all physical requirements specified in TSA guidelines for Explosive Detection Handler program;
- Must be able to stand and walk for extended periods of time; must be able to climb stairs.
- Must be able to care for the canine 24 hours a day, at work and in home environment;
- Work inside in noisy environments, and work outside in all weather conditions.
- Work with explosives;
- Exposure to unknown and potentially dangerous situations.

| Approved by: | Date: |
|--------------|-------|
|--------------|-------|



# CITY OF MANCHESTER

Human Resources Department



One City Hall Plaza
Manchester, New Hampshire 03101-4000
Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065
February 8, 2006

Alderman Ted Gatsas, Chairperson Human Resource and Insurance Committee City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Request for Reclassification & New Class Specification

Dear Alderman Gatsas and Members of the Committee:

On December 19, 2005, the Board of Mayor and Aldermen approved the establishment of three new positions at the Airport. The positions are titled Canine Handlers. The salary grade for this classification is sixteen (16).

Since that approval, Kevin Dillon, Airport Director, has requested that one of the new positions be reclassified upward in order to have a lead worker. As such, Mr. Dillon is requesting the establishment of a Canine Handler Supervisor class specification. The salary grade for this new classification is recommended to be at a salary grade seventeen (17).

The base salary for a Canine Handler, salary grade sixteen is \$33,895. The base salary for a Canine Handler Supervisor, salary grade seventeen is \$36,268.

I am attaching a copy of the new proposed class specification for a Canine Handler Supervisor for your review and approval.

Your favorable approval of this request would be greatly appreciated.

Respectfully submitted,

Nuginia a Law ber far

Virginia A. Lamberton Human Resource Director

Attachment

Cc: Kevin Dillon, Director



# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Sections 33.024, 33.025 and 33.026 (Painter) of the Code of Ordinances of the City of Manchester."

providing for the establishment of a new class specification, Painter, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,



# City of Alanchester New Hampshire

In the year Two Thousand and

### AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Painter) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, s follows:

# SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows:

Establish new classification, Painter

# SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Establish Painter, Grade 13, non-exempt

# SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Establish new class specification, Class Code 5234, Painter, (See attached).

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

# DRAFT



# City of Manchester, New Hampshire

### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Painter |
|-------------------|---------|
| Class Code Number | 5234-13 |

# General Statement of Duties

Performs a variety of skilled painting work on city-owned property and equipment; performs directly related work as required.

### Distinguishing Features of the Class

The principal function of an employee in this class is to perform various skilled painting work on municipal buildings. The work is performed under the supervision and direction of an assigned supervisor but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with other City employees, outside contractors and the public. The principal duties of this class are performed in various indoor and outdoor work areas, with potential personal hazards.

# Examples of Essential Work (illustrative only)

- Cleans and prepares materials to be painted by scraping, removing loose putty, filling cracks, removing broken glass;
- Paints the interior and exterior of buildings using brushes, spray guns, paint rollers or other painting tools;
- Repairs walls and ceilings;
- Applies sealant to exterior finishes and removes graffiti, applying chemical solvents as necessary;



- Paints rain gutters, signs and a variety of equipment;
- Varnishes and paints furniture;
- Mixes and matches paints;
- Orders and picks up supplies and other materials;
- Drives vehicles as required to complete tasks, transporting ladders and scaffolding;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

# Required Knowledge, Skills and Abilities (at time of appointment)

- Thorough knowledge paints, varnishes, shellacs, fillers and graffiti removal chemicals;
- Thorough knowledge of methods, techniques, equipment, tools and materials used in painting practices;
- Thorough knowledge of brush and spray painting;
- Good knowledge of wall and ceiling repair;
- Good knowledge of safety practices used in painting and maintenance functions;
- Ability to work from ladders and scaffolding;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

### **Acceptable Experience and Training**

- Graduation from High School or possession of a GED; and
- Three years experience as a professional painter or as a journeyman painter.

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### **Required Special Qualifications**

• Valid New Hampshire's Drivers License;

### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor and repair HVAC systems;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate hand and power tools;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to work on and set up staging, ladders or other devices to safely work above ground level and access equipment and to be able to stoop, kneel, crouch, stand, walk, push, climb and grasp repetitively.

| Approved by: |   | Date: |
|--------------|---|-------|
| Approved by: | THE | Date  |



## CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza Manchester, New Hampshire 03101-4000 Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065

October 12, 2005



Alderman William Shea, Chairperson Human Resource and Insurance Committee City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Requests for New Classification and New Positions

Dear Alderman Shea and Members of the Committee:

On behalf of Tim Clougherty, Chief Facilities Manager, and Frank Thomas, Highway Director, I am requesting the establishment of a new class specification Painter, salary grade 13. In addition, I am requesting the establishment of two Painter positions.

Apparently years ago, the City had several painter positions. Those positions no longer exist. Due to the fact that there will be a need to maintain the new construction in the schools from the Design Build project, it has been determined that there will be a need to employ at least two full time Painters. Therefore, we have developed a new and updated class specification with the title of Painter. I am attaching a copy of the proposed class specification for your review and information. I am also attaching a copy of an updated organization chart for the Facilities Division. Funds are available in the Facilities budget to support these positions.

Your favorable approval of these requests would be greatly appreciated.

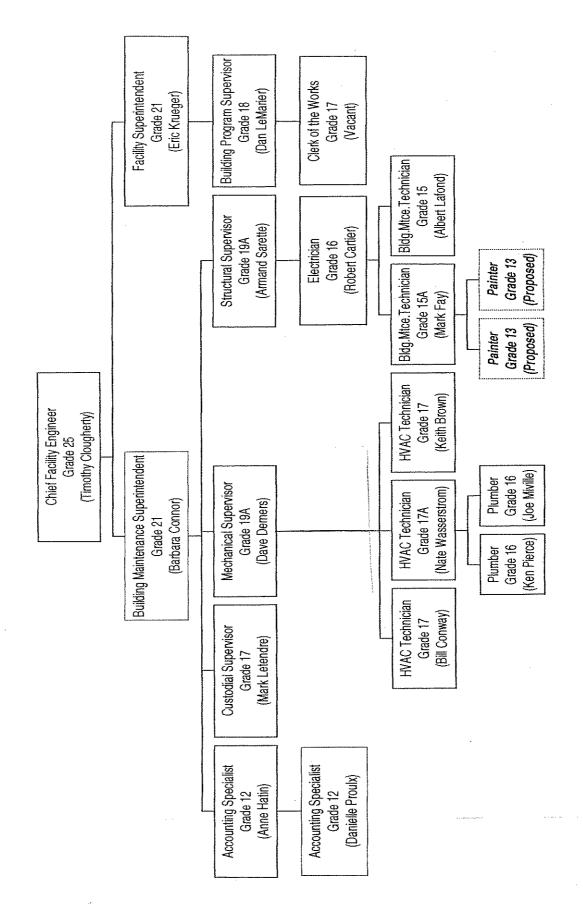
Respectfully submitted, Vuginta a Lamber for

Virginia A. Lamberton Human Resources Director

Attachments

A E

# Facilities Division - Proposed New Job Classes Department of Highways



AF

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and

careful consideration, that it has approved Ordinance:

"Amending Section 33.026 of the Code of Ordinances of the City of Manchester providing for updates to Class Specification for Housing

Inspector."

providing for changes in class specifications, which do not change the title of the

position and do not provide for any changes in salary grades of such position and

is forwarding same to the Board for adoption.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,

Lette Benner

# City of Manchester New Hampshire

In the year Two Thousand and Six

### AN ORDINANCE

"Amending Section 33.026 of the Code of Ordinances of the City of Manchester providing for updates to Class Specification for Housing Inspector."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Change class specification, Housing Inspector, Class Code 5120 (Non-exempt see attached)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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# City of Manchester, New Hampshire

### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Housing Inspector |
|-------------------|-------------------|
| Class Code Number | 5120-17           |

# General Statement of Duties

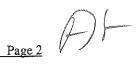
Performs building inspections to ensure compliance with City standards; performs directly related work as required.

### Distinguishing Features of the Class

The principal function of an employee in this class is to inspect residential rental property located in all types of residential units, including but not limited to single family and large multi-unit complexes, to verify that they meet the minimum standards of the City. The work is performed under the supervision and direction of the Housing Inspections Supervisor but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with rental unit owners, other City employees and the public. The principal duties of this class are performed in both an indoor and outdoor work environment with potential personal hazards.

# Examples of Essential Work (illustrative only)

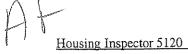
- Inspects and re-inspects rental units for the Certificate of Compliance Program, including the Life Safety Code, heating and plumbing systems, electrical systems and structural requirements;
- Responds to and investigates complaints from citizens and other City departments relating to sub-standard conditions existing in rental units and exterior areas of property;



- Educates landlords, managers and tenants with regards to Housing Standards issues;
- Researches legal status of buildings and investigates illegal dwelling units;
- Prepares violations notices, issues and delivers citations, prepares legal documents and testifies in court as necessary;
- Insures the intent of the licensing laws of the State of New Hampshire are maintained through confirmation of required license status at the time of permit issuance and installation inspections;
- Serves as an information resource for all interested members of the public in all related compliance issues:
- Provides information to owners with regard to the Certificate of Compliance Program and seeks to promote a process of cooperation between rental owners and the City of Manchester;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

### Required Knowledge, Skills and Abilities (at time of appointment)

- Thorough knowledge of all applicable building codes relating to the Certificate of Compliance Program;
- Thorough knowledge of principles and techniques of modern building construction;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.



### Acceptable Experience and Training

- Graduation from High School or completion of GED; and
- Some experience in construction with some building inspection experience; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

### Required Special Qualifications

- Valid New Hampshire driver's license;
- C.A.B.O Certification as a Housing Inspector or must be obtained during the probationary period.

### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to inspect exiting buildings or on-going work under conditions encountered on construction sites;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to work around construction equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to visit construction sites throughout the city and to climb, crawl in tight places and otherwise move through and around assigned building areas.

| Approved by: | Date: |
|--------------|-------|

A6

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Section 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester."

providing for a change that allows a part time employee to be granted a step increase upon satisfactory completion of 1,040 hours of work with additional step increases upon the satisfactory completion of 2,080 hours, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote, Alderman Garrity absent.)

Respectfully submitted,

Les Berner

AG

# City of Manchester New Hampshire

In the year Two Thousand and Six

### AN ORDINANCE

"Amending Section 33.062, Part-Time Employees, of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend Section 33.062, Part-Time Employees, of the Code of Ordinances by deleting language stricken (---) and inserting new language as bolded (**bold**). Language of Section 33.062 not struck through or bolded remains unchanged.

### § 33.062 PART-TIME EMPLOYEES.

- (A) Any employee occupying a position designated as FLSA exempt who is regularly employed on a continuing work schedule of less than 40 hours per week shall be compensated by multiplying the base pay rate by the number of regular hours worked per week.
- (B) An employee occupying a position designated as FLSA non-exempt and who is employed on a part-time basis shall be paid on an hourly basis according to the provision of §33.063 of this subchapter. An employee occupying a position designated as FLSA non-exempt and who is employed on a part-time basis shall be paid on an hourly basis.
- (C) A part-time employee may be granted a step increase upon satisfactory completion of 1,040 hours of work. A part-time employee may be granted an additional step increase upon the satisfactory completion of 2,080 hours. Said employee will be eligible for subsequent step increases upon the satisfactory completion of each 2,080 hours of work until said employee reaches the maximum step in the salary grade to which the employee is assigned.
- II. This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that it has accepted the monthly report for May 2006 as submitted by DMJM, and is forwarding same to the Board for informational purposes.

(Unanimous vote)

Respectfully submitted,

Tull Berner



#### Monthly Report - May 2006

City of Manchester Joint School Building Committee Meeting: May 23, 2006 School Facilities Improvement Project

#### 1.0 Budget:

• Budget overview summary attached

#### 2.0 Schedule:

• Project schedule overview attached.

**Activity Summary:** 

Central High School, Memorial High School classroom addition, Southside Middle School and Hillside Middle School classroom additions are all in full use by students and faculty and continue to have final work installed as well as ongoing punchlist activities. There is final mechanical, electrical, and plumbing (MEP) work at Bakersville, Wilson and Beech Street. Most schools have undergone a majority of the punchlist process with miscellaneous isolated interior spaces and exterior (roof, site restoration, etc.) remaining. Memorial High School is also undergoing interior punchlist activities. There is ongoing training sessions with the appropriate City personnel for new building systems and components.

#### 3.0 Previous Months' Progress (13 April 06 – 17 May 06):

- Central High School
  - Quad Gate Installation Complete
  - o Punchlist
- West High School
  - MEP Work Ongoing
  - Fintube Radiation Replacement Nearly Complete
  - Punchlist
- Memorial High School
  - o Interior Renovation MEP Nearly Complete
  - Interior Painting Nearly Complete
  - o Football Locker Installation Complete
  - o Ceiling Tile Installation Ongoing
  - o Interior Punchlist Ongoing
- Hillside Middle School
  - o Final MEP Nearly Complete
  - o Punchlist
- Southside Middle School
  - Final MEP Nearly Complete
  - Punchlist
- Parkside Middle School
  - o Final MEP Nearly Complete
  - o Interior Punchlist
- Wilson Elementary School
  - o MEP Installation Complete
  - o Interior Painting Nearly Complete
  - o Exterior Door Installation Nearly Complete
  - Interior Punchlist
- Beech Street Elementary School



- o MEP Installation Nearly Complete
- o Punchlist
- Hallsville
  - o MEP Installation Nearly Complete
  - Door Installation Nearly Complete
  - o Punchlist
- Weston Elementary School
  - o Punchlist
- Parker Varney
  - o Punchlist
- Bakersville Elementary School
  - o MEP Installation Complete
  - o Punchlist
- McDonough Elementary School
  - o MEP Nearly Complete
  - Punchlist
- Safety Meetings Ongoing
- Ongoing Weekly Project Status Meetings
- OCIP Ongoing
- Manchester Resident Employment Report (attached)

#### 4.0 Upcoming Activities (18 May 06 – 21 June 06):

- Central High School
  - Punchlist
- West High School
  - o MEP Work Nearing Completion
  - o Punchlist
- Memorial High School
  - o MEP Interior Renovations Continues
  - o Interior Painting Complete
  - o Punchlist Continues
- Hillside Middle School
  - o Final MEP Nearing Completion
  - o Final HRU Installation
  - o Punchlist
- Southside Middle School
  - o Final MEP Nearing Completion
  - o Punchlist
- MST
  - o Punchlist
- Parkside Middle School
  - o Final MEP Complete
  - o Punchlist
- Wilson Elementary School
  - o Final MEP Ongoing
  - o Interior Painting Completion
  - o Exterior Door Installation Complete
- Beech Street Elementary School
  - o MEP Installation Nearing Completion
  - o Exterior Grate Infill Installation Commencement





- o Punchlist
- Hallsville
  - o Door Installation Nearly Complete
  - o Punchlist
- Weston Elementary School
  - o Punchlist
- Parker Varney Elementary School
  - o Punchlist
- Bakersville Elementary School
  - Door Replacement to Commence
  - o Punchlist
- Green Acres Elementary School
  - o Summer 2006 Roof Replacement
- McDonough Elementary School
  - o MEP Nearing Completion
  - o Punchlist
- OCIP Continues

#### 5.0 Critical Issues:

Punchlisting

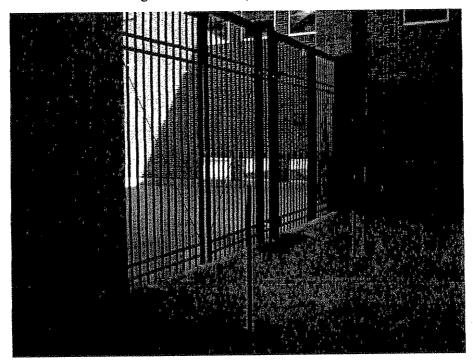
6.0 New Issues:



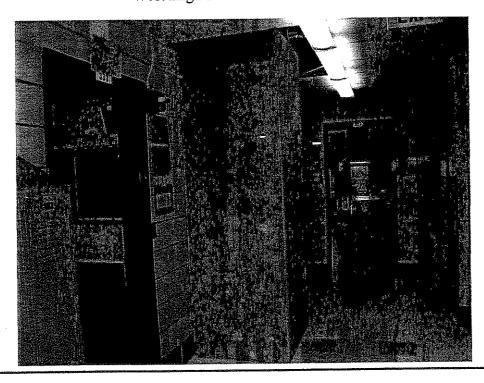
#### 7.0 Progress Photos

#### Late April to Mid May

#### Central High School Courtyard Gate Installation



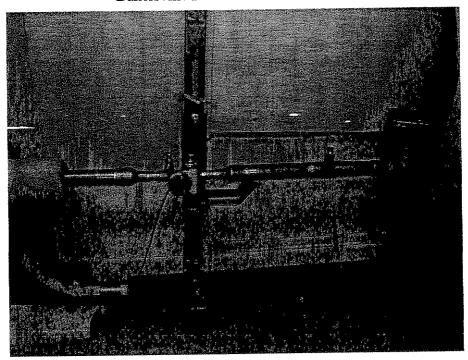
West High School MEP Installation



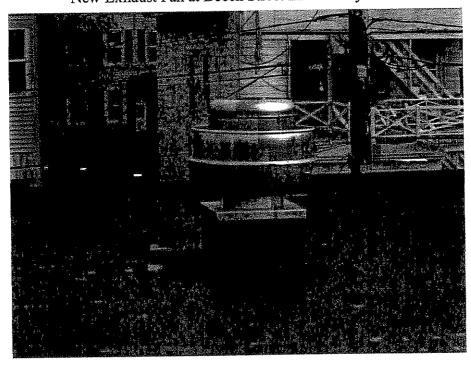




#### Bakersville Final MEP Installation

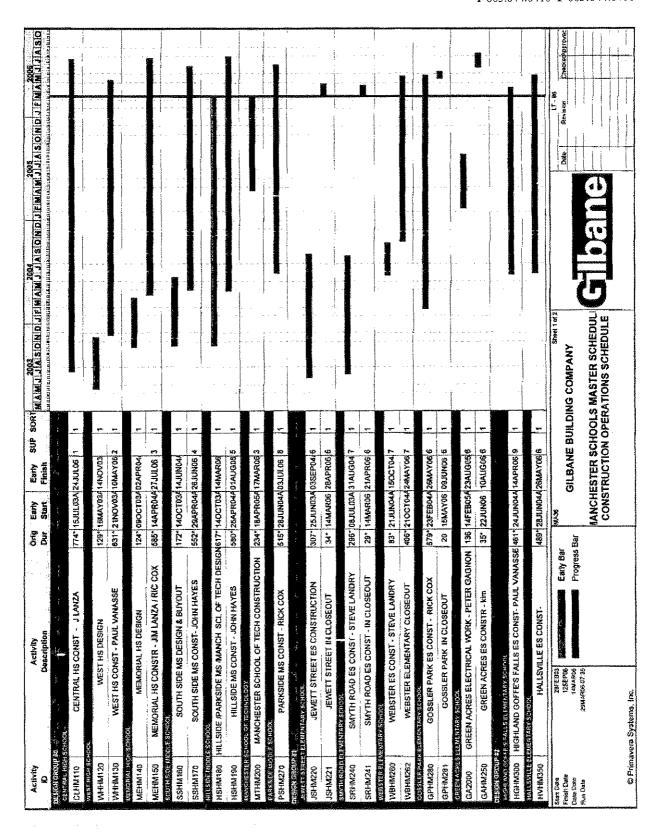


New Exhaust Fan at Beech Street Elementary School



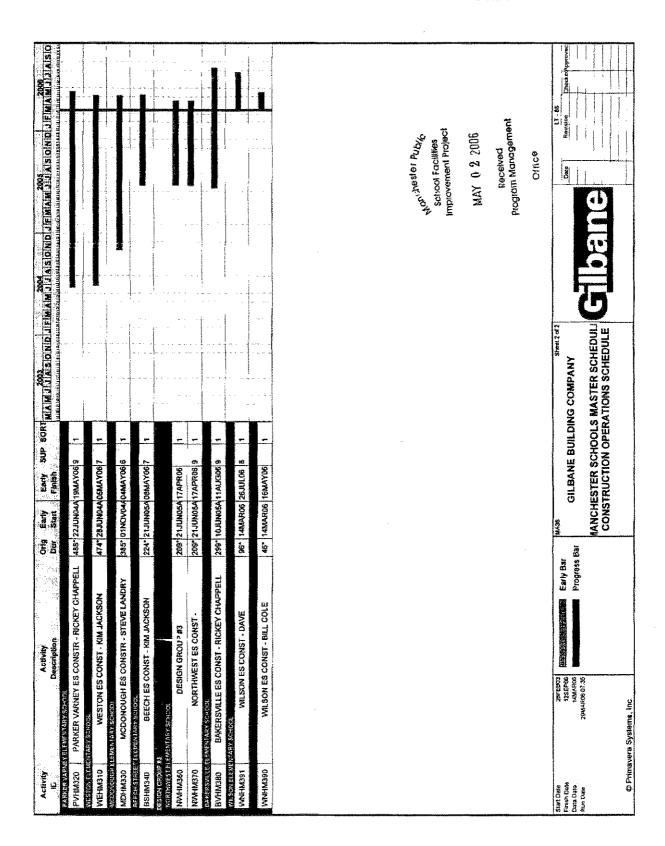


222 South Jewett Street · Manchester, NH 03103 T 603.644.0410 ·F 603.644.0411











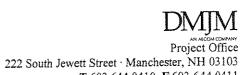


| JOINT SCHO   | OL BUILDI   | NG COMM  | ITTEE  |  |  |
|--|---|--|--|--|--|
| HIGHWAY DEPART   | VENT / DDO II   | ECT EINIANC  | IAI DEDOS  | )T   |  |
| The state of the s | VIENT / PROJ  | ECI LINAINO  | IAL KEFOR  | 7 I  | en e   |
| 17-May-06  DESIGN/BUILD/FINANCE SCHOOL   | NUBBANI I   | EMENT PR   | OGRAM.   | Project #31  | 10303  |
| DESIGN/BUILD/FINANCE SCHOOL  | AF HAILIOA  | ha 171 ha 171 1 3 7  | 00101111   |  |  |
|  | A MATERIAL A MATERIAL WAY THE STREET WAS A MATERIAL TO A STREET WAS A | FUNDING  | SOURCE:  |  | Bond   |
| BUDGET   |   | FY03 CIP   | School Reve  | nue Bond   | \$101,410,000  |
| BUDGEI   |   | FY03 CIP   | Gen.Obligati   | and the second s | \$3,590,000  |
|  |   | FY03 CIP   | Earned Inter   |  | \$3,995,000  |
| 300 247 740  | · · · · · · · · · · · · · · · · · · ·   | FY05   | School Admi  |  | \$252,719  |
| 109,247,719  |   | 1 105  | Condo: Family  | m allowing   | · · · · · · · · · · · · · · · · ·  |
|  |   | AMOUNT   | PERCENT  | AMOUNT   | RETAINAGE  |
| AUTHORIZED VENDOR DESCRIPTION  | DI IO OFF   | AMOUNT   |  | EXPENDED   | HELD   |
| AND APPROVAL DATE  | BUDGET  | ENCUMBERED   | COMPLETE   | EV-FIADED  | 11220  |
| INSURANCE & LEGAL  |   |  |  |  | MILES THE STREET, STRE |
| Arthur J. Gallagher & Co. Insurance Administrative & Broker Services   | \$250,000.00  | \$15,000.00  | 94%  | \$235,000.00   |  |
| Primary Insurance of \$25,000,000  | \$265,000.00  | \$0.00   | 100%   | \$265,000.00   |  |
| Excess Insurance of \$25,000,000   | \$130,000.00  | \$0.00   | 100%   | \$130,000.00   |  |
| - 10 CO C D CO C C C C C C C C C C C C C C C   |   |  |  |  |  |
| Liberty Mutual Insurance Company   |   |  |  |  | ***************************************  |
| OCIP Premiums  | \$1,479,523.00  | \$0.00   | 100%   | \$1,479,523.00   | der Andrewster (a. 1914) personale and an extensive transfer Verson and Charles (A. 1914).   |
| Workmen's Compensation Premium   | \$25,000.00   | \$0.00   | 100%   | \$25,000.00  |  |
| OCIP Loss Fund   | \$286,812.35  | \$67,352.13  | 77%  | \$219,460.22   | graphic and the second  |
|  | 67 F00 00   | \$0.00   | 100%   | \$7,500.00   | and the same of th |
| Fernando Insurance - CHS Statue Insure   | \$7,500.00<br>\$26,080.00   | \$0.00   | 100%   | \$26,080.00  | AT MAKENING THE CONTRACTOR OF SPECIAL PROPERTY |
| Fernando Insurance - Builders Risk Insurance   | \$20,060.00   | \$0.00   | 10078  | <b>420,000.00</b>  | enakan kanan serim mendebugi di proposi da bagai mendebugia beraha beraha berah  |
| Ropes & Gray - Consultant Services   | \$138,321.64  | \$0.00   | 100%   | \$138,321.64   | ***************************************  |
| Ropes & Glay - Consultant Gervices   | <b>V</b> 100,02   |  |  | ***************************************  |  |
| Albert Risk Management Consultants - OCIP  | \$2,217.75  | \$0.00   | 100%   | \$2,217.75   |  |
| THE REPORT OF THE PARTY OF THE  |   |  |  |  |  |
| Insurance & Legal To Date  | \$2,610,454.74  |  |  |  |  |
|  |   |  | -  |  |  |
| PROGRAM MANAGEMENT   |   |  | <u> </u>   |  |  |
| Program Management Services  | \$3,116,000.00  | \$140,085.93   | 96%  | \$2,975,914.07   |  |
| DMJM H&N   | \$3,110,000.00  | \$140,000.00   |  |  |  |
| OTHER EXPENSES   |   |  |  |  |  |
| Information Systems - Computer equipment & Remote Se   | \$1,009.95  | \$0.00   | 100%   | \$1,009.95   |  |
| PSNH - West HS 3Phase High Voltage Install   | \$5,000.00  | \$0.00   |  | \$5,000.00   |  |
| PSNH - Central HS 3Phase Primary & Transformer   | \$15,205.99   |  | - Landan and the second  | \$15,205.99  |  |
| Seacoast Diversified - West HS Strip lead paint  | \$4,920.00  |  |  | \$4,920.00   |  |
| CED TwinState - Smyth, Jewet, Gossler Light Fixtures   | \$2,815.57  | \$0.00   |  | \$2,815.57   |  |
| Building Permits   | \$753,187.65  |  |  | \$753,187.65<br>\$2,761.25   |  |
| United Oil Recovery -Remove oil from CHS tank  | \$2,761.25<br>\$1,772.50  |  |  | \$1,772.50   |  |
| RPF Associates, Inc Dust Settling Testing  | \$1,156.24  | particular and a particular and the reservoir was forward a separate production and the  |  | \$1,156.24   | en dy amit agains foi fa chainteach a tha ann an t-a ann an t-a ann an t-a an t-a  |
| RPF Associates, Inc Lead Paint Testing Alpha Asbestos - Lead Paint Removal West HS Railings  | \$2,450.00  |  |  | \$2,450.00   | ( ,  |
| Alarmax - Smoke Detectors for Webster  | \$669.29  | (4.5 - 24.44)()  |  | \$669.29   | ***************************************  |
| Highway Dept Pavement Patching @ Webster   | \$1,975.46  |  | 100%   | \$1,975.46   |  |
| WW Grainger - Portable Blowers for Hillside/Southside S  | \$809.56  | \$0.00   | 100%   | \$809.56   |  |
| Century Mechanical - Southside Shelter Exhaust Fans  | \$894.31  |  |  | \$894.31   |  |
| Foley & Buhl Engineering - Hallsville Assessment   | \$3,800.00  |  |  | \$3,800.00   | CAMPAGE AND STREET   |
| Damon Insulation Co Insulate Rain Leader Southside   | \$1,950.00  | Mark SAN American Commercian Commercian principal principal designation of the Commercian Commercia | ~;;; <del>}</del> ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~  | \$1,950.00   | and the second of the property of the second |
| Alpha Asbestos - Hang Plastic Southside Shelter  | \$1,475.00  | Chaile and a second contraction of the second secon |  | \$1,475.00   | ar year growth and a second and |
| RPF Associates - Memorial Asbestos Sampling  | \$496.00  |  |  | \$496.00   |  |
| RPF Associates - Beech Dust Settling testing   | \$3,349.00  |  | A THE COLUMN ASSESSMENT ASSESSMEN | \$3,349.00<br>\$1,660.25   | *** **********************************   |
| Scott Lawson - Beech St. Abatement Consultant  | \$1,660.25<br>\$2,175.00  |  | WIN ************************************   | \$2,175.00   | An extension to a process access to president VA and Salike An Assabilization reco   |
| Alpha Asbestos - Classical ACM Floor Core samples Wood Science Specialists - CHS-C Flooring  | \$2,000.00  | CONTRACTOR  | nama 🖟 iyya ayayada ara ara kada da ka ara ara da ara ara ara ara ara ara ara  | The same of the sa |  |
| Other Expenses To Date   | \$811,533.02  | AND AND ADDRESS OF THE PROPERTY OF THE PARTY |  |  |  |



| DESIGN BUILD PROJECT - PAGE 2 OF 4   |  |  |  | A B 6 C 1 1 2 7  | DETAILS OF   |
|--|--|--|--|--|--|
| AUTHORIZED VENDOR DESCRIPTION  | , <b>қ</b> ұлақ <u>ында, ұ</u> рақсындақсы, құрықы ұқта метанет жанайы пастей тайыйстей бей  | AMOUNT   | PERCENT  | AMOUNT   | RETAINAGE  |
| AND APPROVAL DATE  | BUDGET   | ENCUMBERED   | COMPLETE   | EXPENDED   | HELD   |
| Design & Construction Services   |  |  | particular and a house the design of the state of the sta | and the process of the second state of the sec |  |
| Gilbane Building Company - Base Contract   | \$94,900,200.00  | \$2,621,617.63   | 97%  | \$92,278,582.37  | \$4,874,452.97   |
| Change Orders  | And has been designed and the first of the second s |  |  |  |  |
| CO#1: Wall System Rev  | \$0.00   |  |  |  | and a second   |
| CO#2: Cable Reroute  | \$0.00   |  |  |  |  |
| CO#3: Gym Floor Lines  | \$0.00   | ~~~ ~~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~~ ~  |  |  |  |
| CO#4: Jewett Repainting  | \$0.00   |  |  | The second secon |  |
| CO#5: Middle School Structure  | \$0.00   |  |  |  |  |
| CO#6: Rebuild Chimneys   | \$0.00   |  |  | ***************************************  |  |
| CO#7: Architectural, Painting & Carpentry Changes  | \$0.00   | r  | haal District  | l<br>per 6/30/04 MSD A   | L  |
| CO#8: CHS-PA Refinish Adultorium Flooring  |  | No Change in C   |  | Del 0/20/04 M2D 8  | lumonzanon   |
| CO#9: MHS Stage Rigging and WHS Furniture Move   |  | Funding from FF  |  | ***************************************  | de LA Annaissa (An Calendar Paris) de l'estre (en la company de la compa |
| CO#10: Furniture Move at Central   |  | Funding from Co  |  |  |  |
| CO#11: HSMS Unsuitable Soils & EBU Rewiring  | Annual and the second s | Funding from Co  | THE RESERVE THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.   | ensormer programmer en reprison se en remosa en en remosa de la decomposida de la decomposida de la decomposid   |  |
| CO#12 Hillside/Southside MS Stairs & Addition Bathroo  |  | Funding from Co  |  |  |  |
| CO#14 Hormat Demonsi   |  | Funding from Co  |  | //   | ***************************************  |
| CO#14 Hazmat Removal CO#15 CHS Bleachers & New Divider   | \$187 5/2 50   | Funding from Co  | antingency   |  |  |
| CO#15 CHS Bleachers & New Divider CO#15 WHS Lockers  |  | Funding from Co  |  |  |  |
| CO#15 WHS Consumer Science Room  | \$52 488 24  | Funding from Se  | hool District  | er 6/30/04 MSD A   | uthorization   |
| CO#15 VMS Consumer Science Room  CO#15 Southside Restore Bleacher Integrity  |  | Funding from Co  |  |  |  |
| CO#16 CHS Consumer Science Upgrade   | \$81.861.20  | Funding from Sc  | chool District   | per 6/30/04 MSD A  | uthorization   |
| CO#16 CHS, Parkside Changes  |  | Funding from Co  |  |  |  |
| CO#16 Weston Additional Painting   |  | Funding from Co  |  |  | MANAGEMENT (57-7-)   |
| CO#17 CHS, WHS, McDonough, Bakerville, HGF, Pk-V   |  | Funding from Co  |  | ***************************************  |  |
| CO#18 MHS, Beech and West Various Changes  | L. Carrier and Control of the Contro | Funding from Co  |  | paragraph of the control of the cont |  |
| CO#19 MHS,WHS,Hillside,Southside,Hallsville,NW,MS  |  | Funding from Co  |  | . Ingesty that the second of t |  |
| CO#20 MHS, CHS, Hillside, Southside, Beech   | · · · · · · · · · · · · · · · · · ·  | Funding from Co  |  |  |  |
| CO#21 MHS,CHS,WHS,Hillside,McDonough,Hallsville,MST  | The same of the sa | Funding from Co  |  |  | ***************************************  |
| CO#22 OHS, WHS, Hilliside, Southside, Parkside, Beech, Weston  |  | Funding from Co  |  |  | AND THE RESIDENCE AND ADDRESS OF THE PROPERTY  |
| Future: MHS Consumer Science Upgrade   | \$111,372.00   |  |  | Funding per 6/30/04 M  | SD Authorization   |
| New Guaranteed Maximum Price (GMP)   | \$97,132,593.76  |  |  | nd \$51,372 FF&E Belov   |  |
|  |  |  |  |  |  |
| Program FF&E   | \$2,000,000.00   |  |  |  |  |
| MHS - Consumer Science Upgrade (And \$60M by MSD)  | \$51,372.00  | \$51,372.00  | 0%   |  |  |
| WB Mason - Hillside - Administration   | \$44,242.23  | \$0.00   | 100%   | \$44,242.23  |  |
| WB Mason - Hillside - Classrooms   | \$70,195.67  | \$0.00   | 100%   | \$70,195.67  |  |
| WB Mason - Southside - Administration  | \$41,001.89  | \$0.00   | 100%   | \$41,001.89  |  |
| WB Mason - Southside - Classroom   | \$69,325.14  | \$0.00   | 100%   | \$69,325.14  |  |
| W8 Mason - West HS - Administration  | \$60,284.88  | \$0.00   | 100%   | <u> </u>   |  |
| WB Mason - West HS - Classrooms  | \$39,720.54  | \$0.00   | 100%   |  |  |
| WB Mason - Central HS - Administration   | \$141,151.24   | \$0.00   | 100%   |  |  |
| WB Mason - Central HS - Classroom  | \$68,362.75  | \$0.10   | 100%   |  | and the second s |
| WB Mason - Memorial HS - Classroom   | \$98,365.68  | \$0.00   | 100%   |  |  |
| WB Mason - Memorial HS - Administration  | \$24,948.66  | \$0.00   | 100%   | · ·  |  |
| School Furnishings - Cafeteria Tables  | \$210,231.10   | \$0.00   |  | · •  |  |
| Central HS - Furniture Move CO#10  | \$12,550.00  | \$0.00   | and plant decimal recommendation by 124,456 process.   | ~  | The state of the s |
| Union Leader - Central HS - Ad Sidewalk Plow Inv.To Bid  |  | \$0.00   |  |  |  |
| Howard P. Fairfield - Central HS - Sidewalk Plow   | \$71,660.00  | \$0,00   |  | The state of the s | grafia programma programma na  |
| Aramark-CHS,MHS,Southside,Hillside - Entrance Mats   | \$10,576.23  | \$0.00   |  |  |  |
| School District- Reimburse for CHS Portable Bleachers  | \$11,700.00  |  | The same of the last of the same of the sa | and the second s | C. White the second sec |
| Convergent Media Systems - High School Class TV's  | \$46,510.00  |  |  |  | particular and a second and a s |
| Aramark - Floor Machines/Carpet Extractor for additions  | \$78,832.00  | ······································   |  | an direction and the community of the co | and the propagation of the second   |
| lce House Refrigeration - Central Ice Maker  | \$2,305.00   | The second secon |  | - A MANUAL MANUAL SECTION AND AND ASSESSMENT OF THE PROPERTY O |  |
| Telephone Technologies- MHS & Southside Portables  | \$10,166.00  |  |  | -  | - Control of the believe of the control of the cont |
| Telephone Technologies- CHS/Hillside/Gr.Acres Portable   | projection   | \$0.00   |  | NAMES OF THE OWNER, WHEN PERSON ASSESSMENT AND ADDRESS OF THE WAY  | and processing a community of the contract of  |
| and the second s | \$518.00   |  |  | ( fragge and a second property of the contract |  |
| Interstate Electric - CHS Portable Disconnect FA   |  |  | 100%   | \$1,859.00   | I  |
| BK Systems - Gr.Acres/Hillside Disconnect FA   | \$1,859.00   |  |  |  |  |
| BK Systems - Gr.Acres/Hillside Disconnect FA<br>GA Laflamme -Gr.Acres Power Portable/Wire FA System  | \$11,212.89  | \$0.00   | 100%   | \$11,212.89  |  |
| BK Systems - Gr.Acres/Hillside Disconnect FA   | v  | \$0.00<br>\$0.00   | 100%<br>100%   | \$11,212.89<br>\$4,990.00  |  |





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| DESIGN BUILD PROJECT - PAGE 3 OF 4   |                       |   | į  |  |  |
|--|-----------------------|---|--|--|--|
| AUTHORIZED VENDOR DESCRIPTION  |                       | AMOUNT  | PERCENT  | AMOUNT   | RETAINAGE  |
| AND APPROVAL DATE  | BUDGET                | ENCUMBERED  | COMPLETE   | EXPENDED   | HELD   |
| Century Mechanical - Gr.Acres Portable Plumbing Install  | \$7,225.00            | \$0.00  | 100%   | \$7,225.00   |  |
| nformation Systems - Printer , Server & Software   | \$20,290.74           | \$0.00  | 100%   | \$20,290.74  |  |
| Hillyard - Central Safety Cabinets   | \$5,025.00            | \$0.00  | 100%   | \$5,025.00   |  |
| School District - Reimburse Central HS Appliances  | \$3,873.91            | \$0.00  | 100%   | \$3,873.91   |  |
| Pelmac-Gossler Intercom/MHS & Southside Port. Disconned  | \$462.50              | \$0.00  | 100%   | \$462.50   |  |
| Perkins - Central HS Sterilizer  | \$7,609.00            | \$0,00  | 100%   | \$7,609.00   |  |
| Vards Natural Science -CHS, Southside, Hillside Science  | \$69,130.44           | \$6,178.03  | 91%  | \$62,952.41  |  |
| Conway Office - Six Copiers  | \$83,995.00           | \$0.00  | 100%   | \$83,995.00  |  |
| Barnstead International - Central HS Distillers  | \$9,965.84            | \$0.00  | 100%   | \$9,965.84   |  |
| Nert Scientific Inc - Central Distiller Installation   | \$1,325.00            | \$0.00  | 100%   | \$1,325.00   |  |
| Decker Inc School Floor Savers   | \$39,705.02           | \$0.00  | 100%   | \$39,705.02  | ***************************************  |
| Pelta Education - Central Science Equipment  | \$320.38              | \$0.00  | 100%   | \$320.38   |  |
| ducational Innovations - Central Science Equipment   | \$119.19              | \$0.00  | 100%   | \$119.19   |  |
| rey Scientific - Hillside & Southside Science Equipment  | \$3,490.56            | \$0.00  | 100%   | \$3,490.56   |  |
| Sallese & Sons - Memorial Locker Repairs   | \$13,420.00           | \$0.00  | 100%   | \$13,420.00  | productive and the Company of the Co |
| lasco - Memoriai Art Tables  | \$4,744.00            | \$0.00  | 100%   | \$4,744.00<br>\$6,594.27   | ***************************************  |
| asco - Central Science Equipment   | \$6,594.27            | \$0.00  | 100%   | \$36,881.26  | ***************************************  |
| Sargent-Welch - CHS, MHS & Southside Science Equip.  | \$40,810.09           | \$3,928.83<br>\$0.00  | 100%   | \$39,354,97  |  |
| Schiavi-Portable Move Hillside, Gr. Acres, Southside & MHS   | \$39,354.97           |   | 100%   | \$4,306.59   |  |
| K Boreal Lab - Central & Southside Science Equipment   | \$4,306.59            | \$0.00  | 100%   | \$1,598.00   | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~   |
| OfficeMax - Hillside & Southside Projectors  | \$1,598.00            | \$0.00  | 100%   | \$9,900.00   |  |
| ice Associates - Southside Microscopes   | \$9,900.00            | \$0.00<br>\$0.00  | 100%   | \$11,598.23  |  |
| ernier Software & Tech Central Science Equipment   | \$11,598.23           | \$0.00  | 100%   | \$29,100.60  |  |
| School Fumishings - McDonough Cafeteria Tables   | \$29,100.60           | \$0.00  | 100%   | \$7,472.00   |  |
| R Pepper Electric - Reinstall Light Poles MHS Rear   | \$7,472.00            | \$0.00  | 100%   | \$6,793.67   | Marketic Arrandom Arrandom Control Con |
| lighway-Southside Extend Pkg.Lot&Curb&Remove Deck  | \$6,793.67<br>\$15.92 | \$0.00  | 100%   | \$15.92  |  |
| lome Depot - 4" Lever caps for Portable capoffs  | \$2,000.00            | \$0.00  | 100%   | \$2,000.00   | Annual Control of the |
| vans Line Constructio - Southside Remove transformers  | \$2,000.00            | \$0.00  | 100%   | \$2,371.27   |  |
| Bio-Rad Laboratories - MHS Electrophoresis Station   | \$6,131.69            | \$500.01  | 92%  | \$5,631.68   | **************************************   |
| Carolina Biology - MHS Science Equipment   | \$8,364.20            |   |  |  |  |
| Nasco - CHS Art Tables   | \$46,731,73           | \$2,639.80  |  | \$44,091.93  | And the second s |
| Flinn Scientific - MHS Science Equipment<br>Southern NH Univ CHS Basketball Facility Rental 5x       | \$4,050.00            | \$0.00  |  | \$4,050.00   |  |
| Williams Communications - Beech Intercom System  | \$37,839.00           | \$0.00  |  | \$37,839.00  |  |
| Williams Communications - Beech Intercont System Williams Communications - Parkside Ceiling Speakers | \$3,235.00            |   |  |  | ***************************************  |
| Williams Communications - Farkside Centring Opeakers  WB Mason - Memorial                            | \$4,015.10            |   |  | \$4,015.10   | - Andrew Control of Property Control of the Control |
| WB Mason - Mernorial WB Mason - Central  | \$7,543.79            |   | _1   | \$7,543.79   |  |
| WB Mason - Central WB Mason - Bakersville  | \$14,698.19           |   |  | \$14,698.19  |  |
| WB Mason - Beech   | \$11,873.47           |   |  | \$11,873.47  | 444  |
| WB Mason - Green Acres   | \$14,306.41           | \$0.00  | 100%   | \$14,306.41  | Name and Associated a |
| WB Mason - Gossler   | \$3,816.40            | \$0.00  | 100%   | \$3,816.40   |  |
| WB Mason - Hallsville  | \$11,208.76           |   | 100%   | \$11,208.76  |  |
| WB Mason - Highland Goffes Falls   | \$15,857.85           | \$0.00  | 100%   | \$15,857.85  |  |
| WB Mason - Jewett  | \$3,104.02            | \$0.00  | 100%   | \$3,104.02   |  |
| WB Mason - McDonough   | \$6,143.76            | \$0.00  | 100%   | \$6,143.76   |  |
| WB Mason - Northwest   | \$2,707.09            |   | 100%   |  |  |
| WB Mason - Parker-Varney   | \$17,030.40           | \$0.00  |  |  | ay ayayayaa aa aa aa aa aa aa aa aa aa a   |
| NB Mason - Smyth   | \$12,501.50           |   |  |  |  |
| WB Mason - Webster   | \$15,776.14           |   |  | \$   | For the second contract of the second contrac |
| WB Mason - Weston  | \$17,626.68           |   |  |  |  |
| WB Mason - Wilson  | \$6,617.93            |   |  | <u> </u>   |  |
| Apple Computer - Central 6 eMacs/6 HP All-in-One   | \$5,669.10            | Miles of the section |  |  | gg - January - was a series and |
| Stateline Sports - Southside & Parkside Volleyball Stand   | \$6,100.00            |   |  |  |  |
| Doty & Sons - Concrete Receptacles   | \$30,000.00           | THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER.  |  | The state of the s |  |
| WB Mason - Hillside Storage cabinets/Coat trees  | \$3,585.06            |   |  | A STATE OF THE PARTY OF THE PAR | The second secon |
| WB Mason - Southside Storage cabinets/Coat rack  | \$2,767.85            |   | and the second s | to Sent commence and construction of the body of Milder Sent commence and the sent construction of the sent construction  | y paragament accounts and continue to the delicated And And And And And And And And And An   |
| Famous Lockers - Memorial Football Lockers   | \$20,800.00           |   |  |  |  |
| Highway Dept Southside Repave Parking Lot  | \$13,521.15           |   |  |  | and the contraction of the contr |
| Traffic Dept Post Signs & Stripe Parking Lot   | \$1,294.41            |   | CONTRACT AND DESCRIPTION OF THE PROPERTY OF TH | to the same of the | and the sample proof of the property of the distribution of the continue of the same of th |
| Highway Dept Hillside Excavate Waterline & Pave Port   | \$276.51              |   | The state of the s |  |  |
| Penney Fence - Southside Guardrail Relocation  | \$1,300.00            | \$0.00  | 100%   | \$1,300.00   | 1  |





T 603.644.0410 ·F 603.644.0411

| DESIGN BUILD PROJECT - PAGE 4 OF 4  | armonismos, fraight artisalach an teathracadh ar ceannach de ghailligh a frainn ann ann an an |                |  |   |  |
|---|---|----------------|--|---|--|
| AUTHORIZED VENDOR DESCRIPTION   |   | AMOUNT         | PERCENT  | AMOUNT                                  | RETAINAGE  |
| AND APPROVAL DATE   | BUDGET  | ENCUMBERED     | COMPLETE   | EXPENDED                                | HELD   |
| NOATROVACOALE   |   |                |  |   |  |
| ORG Construction - Install white boards in grade schools  | \$4,275.00  | \$480.00       | 89%  | \$3,795.00                              |  |
| WB Mason - Memorial 5 Shelves   | \$1,225.00  | \$0.00         | 100%   | \$1,225.00                              |  |
| WB Mason-Nurse panels CHS,WHS,MHS,Southside,Hillside  | \$375.00  | \$0.00         | 100%   | \$375.00                                |  |
| Balance for Future FF&E   |   | \$8,848.11     |  |   |  |
| Total FF&E Encumbered & Balance   | \$2,000,000.00  | \$148,615.08   |  | \$1,851,384.92                          |  |
| 70tal / Fac Endamosad a Dalaria   |   |                |  |   |  |
| CONTINGENCY   |   |                |  |   |  |
| Contingency/JSBC Approved Expenses  | \$5,650,000.00  |                |  |   |  |
| Parker-Varney & Highland Wall Designs\$155,000 - JSBC 5/11/2005                                       | \$0.00  |                |  | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |  |
| Vountainside Insulation - McDonough Insulate 27 CIsRms  | \$4,860,00  | \$0.00         | 100%   | \$4,860.00                              |  |
| Wemorial - Guardrail Relocation(PennyFence) Pave (Hwy)  | \$6,518.47  | \$0.00         | 100%   | \$6,518.47                              |  |
| C&M Engineering - Beech Fire Alarm Expansion  | \$12,215.00   | \$0.00         | 100%   | \$12,215.00                             | April 10 10 10 10 10 10 10 10 10 10 10 10 10   |
| Union Leader - Beech FA Bid Invitation (2x)   | \$359.24  | \$0.00         | 100%   | \$359.24                                | rager man hybrid of the section of t |
| Jaion Leader - Beech PA Bid Invitation (ZX)   | \$90.36   | \$0.00         | 100%   | \$90.36                                 | ***************************************  |
| Spillers Graphics - Beech FA Plans  | \$115,000.00  | \$115,000.00   | 0%   |   |  |
| Beech - Fire Alarm Upgrade  | \$29,800.00   | \$17,680.00    | 41%  | \$12,120.00                             |  |
| foley Buhi Roberts - Hallsville Roof Structure Evaluation   | \$14,124.00   | \$0.00         | 100%   | \$14,124.00                             |  |
| Pelmac - Central Security System Problems   | \$14,124.00   | \$0.00         | 100%   | \$6.00                                  |  |
| Spillers Graphics - Hallsville Clock Tower Roof Plans   | \$3,900.00  | \$0.00         | 100%   | \$3,900.00                              | A  |
| Chris Tartsa - Hallsville Clock Tower Repairs   | \$3,900.00  | \$0.00         | 100%   | \$350.00                                | ***************************************  |
| Gerard A Laflamme - Halls ville Tower/Move Conduits   | \$300.00  | 30,00          | 100 701  |   |  |
| Contingency/ Change Order Number & Amounts  | <u></u>   |                |  |   |  |
| CO#11: HSMS Unsuitable Soils & EBU Rewiring JSBC  | \$32,724.20   | \$32,724.20    |  |   | ***************************************  |
| CO#12 Hillside/Southside MS Stairs JSBC 11/25/04  | \$325,453.00  | \$325,453.00   |  |   |  |
| CO#13: Central Intercom/Webster Acoustical Ceiling  | \$16,352.00   | \$16,352.00    |  |   |  |
| CO#14: Hazmat Removal JSBC 3/22/05  | \$848,864.12  | \$848,864.12   |  |   |  |
| CO#15 CHS Bleacher/WHS Locker/Southside Bleacher  | \$294,031,58  |                | 1  |   |  |
| CO#16 CHS & Parkside Changes & Weston Painting Wes  |   |                |  |   |  |
| CO#16 CHS & Falkside Changes & Western 2many (No. CO#17 CHS, WHS, McDonough, Bakerville, HGF, Pk-Varn | \$102,150.00  |                | with the particular programment and the programment of the programment |   |  |
| CO#17 CH3, WH3, WEDUNDUNG, BARGIVINE, 1107 J. K. VAZIVI   | \$7,865.00  |                | 1  |   |  |
| CO#18 MHS, Beech and West Various Changes CO#19 MHS,WHS,Hillside,Southside,Hallsville,NW,MST          | \$97,236.48   |                |  |   |  |
| CO#19 MHS, WHS, Hillside, Southside, Flatisville, W. M. CO#20 MHS, CHS, Hillside, Southside, Beech    | \$93,005.00   |                | The second secon |   |  |
| CO#20 MHS, CHS, Hillside, Southside, Beech<br>CO#21 MHS,CHS,WHS,Hillside,McDonough,Hailsville,MST     | \$78,581.94   |                |  |   |  |
| CO#21 MHS, CHS, WHS, Hillside, Southside, Parkside, Beech, Weston                                     | \$5,745.00  |                |  |   |  |
| Balance for Future Contingency Allocations  |   | \$3,516,302.61 |  |   |  |
| Contingency Authorized to Date  | \$2,133,697.39  |                |  | \$54,543.07                             | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,  |
| Contingency Additionable to bette   | !   |                |  |   |  |
| JSBC APPROVED CONTINGENCY BALANCE   | \$3,516,302.61  |                |  |   |  |
| UNENCUMBERED PROJECT FUNDS  | \$99,531.24   |                |  |   |  |
| ENCUMBERED/EXPENDED TOTAL   | \$109,148,187.76  | \$8,650,127.70 |  | \$100,498,060.06                        |  |
| TOTAL   | \$109,247,719.00  |                |  |   |  |





222 South Jewett Street · Manchester, NH 03103 T 603.644.0410 · F 603.644.0411

> Gilpony 1905-beth James Samen Mandahara, Anti-1980 Telephona (III) 644-2313 Telephona (III) 644-2313 Telephona (III) 644-2313 Telephona (III) 644-2313



May 15, 2006

Manchester Schools' Design Build Employment Committee c/o Gilbane Building Company 220 South Jewett Street Manchester, NH 03103

Reference: Manchester City-Wide Schools Project

Manchester, NH

Gilbane Project No. 11-3387-000

Manchester Resident Report - May 15, 2006

Dear Sirs/Madam:

Attached is our resident requirement report for the Manchester City-Wide Schools Project which includes reported data through 5/15/06

Page 1 includes monthly detail of subcontractors reported data. Please note that if any field is "blank", either the data is as yet unreported or the subcontractor has not yet begun work. If the subcontractor is "highlighted", they have completed their work and we have closed their contract. Page 2 is a summary by subcontractor of their goals vs. actual performance with the overall job percentage totals reported at the bottom.

Should you have any questions regarding this submittal, please do not hesitate to contact me at 603-644-3313 ext. 209.

Regards,

Robert N. Richer Project Accountant

Enclosures





| *Reported Residen                         | cy Data                                |                                      |  |  |                             |   |  |                                |                              | all political and a second |
|---|--|--------------------------------------|--|--|-----------------------------|---|--|--------------------------------|------------------------------|--|
| Keponed Kestuch                           | L                                      |                                      |  |  |                             |   |  |                                |                              |  |
| As of May 05, 2006                        |  |                                      | Marina and A. P. Grand-And Association Association |  |                             | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, |  |                                |                              |  |
| Total Hours vs. Ma                        | nchester                               | Resident                             | Hours  |  |                             | www.                                    |  |                                |                              |  |
|   | Jul-03<br>Thru Feb-06<br>Resident Hrs. | Jul-03<br>Thru Feb-06<br>Total Hours | Mar-06<br>Resident<br>Hours                        | Mar-06<br>Total<br>Hours   | Apr-06<br>Resident<br>Hours | Apr-06<br>Total<br>Hours                | May-06<br>Resident<br>Hours  | May-06<br>Total<br>Hours       | To Date<br>Resident<br>Hours | To Date<br>Total<br>Hours  |
|   | 69,50                                  | 1,514,00                             |  | and the state of t |                             |   |  |                                | 69,50                        | 1,514.00   |
| Hayward Baker                             | 10.967.00                              | 42,565,00                            | 0.00   | 0.00   | 0.00                        | 0.00                                    |  |                                | 10,967.00                    | 42,565.00  |
| Francis Harvey & Sons                     | 73,563.00                              | 112,733.00                           | 1.754.00   |  | 1,466.00                    | 2.003.00                                |  |                                | 76,783.00                    | 117,427.00   |
| Allan Industries                          | 20.50                                  | 27.50                                | 1,7 0 7.00   |  |                             |   |  |                                | 20.50                        | 27.50  |
| HCI Craftsmen Hampshire Fire Protection   | 7,964,00                               | 27,789.95                            |  |  |                             |   |  |                                | 7,964.00                     | 27,789.95  |
| Interstate Electric                       | 25,058.00                              | 85,413.50                            | 36.50  | 180.50   | 0.00                        | 77.00                                   |  |                                | 25,094.50                    | 85,671.00  |
| ACT Abatement                             | 4.00                                   |                                      | ***************************************            |  |                             |   |  |                                | 4.00                         | 3,413.00   |
| A & E Flooring                            | 1,781.50                               |                                      |  | al description of the second s |                             |   |  |                                | 1,781.50                     | 6,369.75   |
| Essex Newbury & Sub                       | 0.00                                   |                                      |  |  |                             |   | 9,4  |                                | 0.00                         | 10,117.50  |
| George R. Cairns & Subs.                  | 3,384.00                               |                                      | 0.00   | 0.00   |                             |   |  |                                | 3,384.00                     | 21,721.50  |
| C.P. Blouin                               | 16,487,65                              |                                      | 267.00   | 1,093.00   | 279.00                      | 743.50                                  | The second secon |                                | 17,033.65                    | 77,903.7   |
|   | 598.00                                 |                                      |  |  |                             |   |  |                                | 598.00                       | 26,089.0   |
| Consolidated Electric                     | 0.00                                   | 1                                    | 0.00   | 58.00  | 0.00                        | 10.00                                   |  | Party and the same of the same | 0.00                         | 4,909.5  |
| American Steel                            | 32.00                                  |                                      |  |  |                             |   |  |                                | 32.00                        | 103.0  |
| laccarino & Sons                          | 0.00                                   |                                      |  |  |                             |   |  |                                | 0.00                         | 2,292.0  |
| Northern Plaster Works Francis H. Maroney | 7,916.00                               |                                      |  | 31.50  | 0.00                        | 54.00                                   |  |                                | 7,916.00                     | 64,827.5   |
| Johnson Controls, Inc.                    | 726.00                                 |                                      |  | 5.00   | 0.00                        | 337.50                                  |  |                                | 726.00                       | 6,064.0  |
| Youngblood Co., Inc.                      | 6,782,50                               |                                      |  | 344.00   | 17.00                       | 17.00                                   |  |                                | 7,023.50                     | 20,538.0   |
| Novel Iron Works, Inc.                    | 0.00                                   |                                      | )  |  |                             |   |  |                                | 0.00                         | 14,951.5   |
| Northeast Masonry, Inc.                   | 350.50                                 | 8,178.50                             | )  |  |                             |   |  |                                | 350.50                       | 8,178.5  |
| King Painting                             | 1,620.00                               | 72,692.00                            |  |  |                             |   |  |                                | 1,620.00                     | 72,692.0   |
| Premier Caulking                          | 180.5                                  | 521.00                               |  |  |                             |   |  |                                | 180.50                       | 521.0  |
| Kel Rick Construction                     | 5,180.5                                | 67,744.55                            | 0.00   | 184.00   | 0.00                        | 80.00                                   | 1  |                                | 5,180.50                     | 68,008.5   |
| Skyline Roofing                           | 18,437.9                               | 31,248.50                            | 143.00   | 152.50   | 74.00                       | 99.00                                   |  |                                | 18,654.90                    | 31,500.0   |
| New Hampshire Glass                       | 2,012.5                                | 17,414.00                            | )<br>  |  |                             |   |  |                                | 2,012.50                     | 17,414.0   |





| Stateline Acoustical Cellings | 1,781.00    | 5,425.50   | 50.00                                    | 66.00    |  |   |  |      | 1,831.00  | 5,491.50   |
|-------------------------------|-------------|------------|--|----------|--|---|--|------|---|--|
| Chamberlain Companies, inc.   | 188.00      | 353.00     |  |          |  |   |  |      | 188.00  | 353.00   |
| Pine State Elevator           | 0.00        | 1,936.50   |  |          |  |   |  |      | 0.00  | 1,936.50   |
| Hate to Paint/Stain?          | 2,434.00    | 2,901.00   |  |          |  |   |  |      | 2,434.00  | 2,901.00   |
| Dec-Tam Corporation           | 70.00       | 7,892.50   |  |          |  |   |  |      | 70.00   | 7,892.50   |
| Twin Brooks Environmental     | 0.00        | 0.00       |  |          |  |   |  |      | 0.00  | 0.00   |
| Major Theatre Equipment       | 0.00        | 1,135.00   |  |          |  |   |  |      | 0.00  | 1,135.00   |
| Air Quality Experts, Inc.     | 0.00        | 3,088.75   |  |          |  |   |  |      | 0.00  | 3,088.75   |
| ABC Flooring Specialists      | 0.00        | 366.25     |  |          |  |   |  |      | 0.00  | 366.25   |
| Tucker Library interiors      | 0.00        | 323.85     |  |          |  |   |  |      | 0.00  | 323.85   |
| American Sport Floors         | 0,00        | 3,229.50   |  |          |  |   |  |      | 0.00  | 3,229.50   |
| Northeast Interior Systems    | 935.00      | 2,293.00   | 0.00                                     | 22.00    |  |   |  |      | 935.00  | 2,315.00   |
| Pitcher Associates            | 1,162.50    | 2,499.50   |  |          |  |   |  |      | 1,162.50  | 2,499.50   |
| Ahern Painting Co., Inc.      | 617.00      | 3,291.50   |  |          |  |   |  |      | 617.00  | 3,291.50   |
| Allegheny Contract Flooring   | 4,565.00    | 5,461.00   | 0.00                                     | 0.00     | 0.00   | 0.00  |  |      | 4,565.00  | 5,461.00   |
| Eckhardt & Johnson            | 4,247.00    | 11,331.00  |  |          |  |   |  |      | 4,247.00  | 11,331.00  |
| F.A. Gray, Inc.               | 665.50      | 6,153.75   | 0.00                                     | 13.50    | 0.00   | 0.00  |  |      | 665.50  | 6,167.25   |
| Robert H. Lord                | 108.00      | 108.00     |  |          |  |   |  |      | 108.00  | 108.00   |
| Granite State Acoustics       | 4,418.50    | 6,781.50   |  |          |  |   | , v <sub>1</sub> , , , , , , , , , , , , , , , , , , , |      | 4,418.50  | 6,781.50   |
| Material Handling Sales       | 0.00        | 677.00     |  |          |  |   |  |      | 0.00  | 677.00   |
| E.S. Boulos                   | 768.50      | 1,839.50   |  |          |  |   |  |      | 768.50  | 1,839.50   |
| Merrimac Tile Company         | 96,00       | 633.00     |  |          |  |   |  |      | 96.00   | 633.00   |
| Raynor Door Authority         | 68.75       | 340.25     |  |          |  |   |  |      | 68.75   | 340.25   |
| Gorman-Thomas, Inc.           | 202.50      | 1,560.50   |  |          |  |   |  |      | 202.50  | 1,560.50   |
| Monthly Totals                | 205,462.80  | 794,069.35 | 2,474.50                                 | 4,841.00 | 1,836.00   | 3,421.00  | 0.00   | 0.00 | 209,773.30  | 802,331.35   |
| Total Manchester Hrs.         | 209,773.30  |            |  |          |  |   | .,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,                |      |   | a a parameter a substitution of a 111 deleter to 1   |
| Total Labor Hours             | 802,331.35  |            |  |          | \$\rm \text{\text{\$\exititt{\$\text{\$\text{\$\text{\$\text{\$\texit{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\text{\$\texit{\$\texitin}\$\$\$\text{\$\texititt{\$\text{\$\texit{\$\texit{\$\text{\$\texitti | 1999 t 1999 hayun ger gegel mad herfanafilikafi hak hef dessisted<br>gellen i fan deshida as f. de skill 1888 t 1888 yn 1989 t 1989 yn 1989 |  |      |   |  |
| % of Manchester Hours         | 26.15%      |            |  |          |  |   |  |      | gar yang ayan kana da ay da da da da ay aran ay |  |
| * Blank Field Equals No Da    | ta Reported | That Month | 3 (1 (1 (1 (1 (1 (1 (1 (1 (1 (1 (1 (1 (1 |          |  |   |  |      |   |  |
| Digin I ido Equal 140 Da      |             |            |  | -        |  |   |  |      |   | April 1940 - All Control of the Cont |





| Manchester City-Wi        | de Schools Pr                | oject - Gilbar            | ne Job #11-3387-                 | 000                                   |
|---------------------------|------------------------------|---------------------------|----------------------------------|---------------------------------------|
| Goals Vs. Actual Pe       | rcentage Sch                 | edule Of Rep              | orted Hours                      |                                       |
| As of May 05, 2006        |                              |                           |                                  |                                       |
|                           | CUMULATIVE<br>MANCHESTER HRS | CUMULATIVE<br>TOTAL HOURS | GOAL PERCENTAGE MANCHESTER HOURS | ACTUAL PERCENTAGE<br>MANCHESTER HOURS |
| Hayward Baker             | 69.50                        | 1,514.00                  | 5.00%                            | 4.59%                                 |
| Francis Harvey & Sons     | 10,967.00                    | 42,565.00                 | 15.00%                           | 25.77%                                |
| Allan Industries          | 76,783.00                    | 117,427.00                | 0.00%                            | 65.39%                                |
| HCI Craftsmen             | 20.50                        | 27.50                     | 50.00%                           | 74.55%                                |
| Hampshire Fire Protection | 7,964.00                     | 27,789.95                 | 10.00%                           | 28.66%                                |
| Interstate Electric       | 25,094.50                    | 85,671.00                 | 5.00%                            | 29.29%                                |
| ACT Abatement             | 4.00                         | 3,413.00                  | 0.00%                            | 0.12%                                 |
| A & E Flooring            | 1,781.50                     | 6,369.75                  | 2.00%                            | 27.97%                                |
| Essex Newbury             | 0.00                         | 10,117.50                 | 0.00%                            | 0.00%                                 |
| George R. Cairns          | 3,384.00                     | 21,721.50                 | 5.00%                            | 15.58%                                |
| C.P. Blouin               | 17,033.65                    | 77,903.75                 | 20.00%                           | 21.86%                                |
| Consolidated Electric     | 598.00                       | 26,089.00                 | 5.00%                            | 2.29%                                 |
| American Steele           | 0.00                         | 4,909.50                  | 0.00%                            | 0.00%                                 |
| laccarino & Sons          | 32.00                        | 103.00                    | 0.00%                            | 31.07%                                |
| Northern Plaster Works    | 0.00                         | 2,292.00                  | 0.00%                            | 0.00%                                 |
| Francis H. Maroney        | 7,916.00                     | 64,827.50                 | 15.00%                           | 12.21%                                |
| Johnson Controls, Inc.    | 726.00                       | 6,064.00                  | 50.00%                           | 11.97%                                |
| Youngblood Co., Inc.      | 7,023.50                     | 20,538.00                 | 15.00%                           | 34.20%                                |
| Novel Iron Works, Inc.    | 0.00                         | 14,951.50                 | 0.00%                            | 0.00%                                 |
| Northeast Masonry         | 350.50                       | 8,178.50                  | 5.00%                            | 4.29%                                 |
| King Painting             | 1,620.00                     | 72,692.00                 | 10.00%                           | 2.23%                                 |
| Premier Caulking          | 180.50                       | 521.00                    | 0.00%                            | 34.64%                                |
| Kel-Rick Construction     | 5,180.50                     | 68,008.55                 | 5.00%                            | 7.62%                                 |
| Skyline Roofing           | 18,654.90                    | 31,500.00                 | 10.00%                           | 59.22%                                |
| New Hampshire Glass       | 2,012.50                     | 17,414,00                 | 15.00%                           | 11.56%                                |



DMJM
AN AECOM COMPANY
Project Office

PH

Project Office 222 South Jewett Street · Manchester, NH 03103 T 603.644.0410 · F 603.644.0411

| 203,773.30 |   |   |  |
|------------|---|---|--|
| 209,773.30 | 802,331.35  |   |  |
| 202.50     | 1,560.50  | 0.00%   | 12.98%   |
| 68.75      | 340.25  | 0.00%   | 20.21%   |
| 96.00      | 633.00  | 0.00%   | 15.17%   |
| 768.50     | 1,839.50  | 0.00%   | 41.78%   |
| 0.00       | 677.00  | 0.00%   | 0.00%  |
| 4,418.50   | 6,781.50  | 0.00%   | 65.16%   |
| 108.00     | 108.00  | 0.00%   | 100.00%  |
| 665.50     | 6,167.25  | 0.00%   | 10.79%   |
| 4,247.00   | 11,331.00   | 0.00%   | 37,48%   |
| 4,565.00   | 5,461.00  | 0.00%   | 83.59%   |
| 617.00     | 3,291.50  | 0.00%   | 18.75%   |
| 1,162.50   | 2,499.50  | 20.00%  | 46.51%   |
| 935.00     | 2,315.00  | 0.00%   | 40.39%   |
| 0.00       | 3,229.50  | 0.00%   | 0.00%  |
| 0.00       | 323.85  | 0.00%   | 0.00%  |
| 0.00       | 366.25  | 10.00%  | 0.00%  |
| 0.00       | 3,088.75  | 0.00%   | 0.00%  |
| 0.00       | 1,135.00  | 0.00%   | 0.00%  |
| 0.00       | 0.00  | 0.00%   |  |
| 70.00      | 7,892.50  | 0.00%   | 0.89%  |
| 2.434.00   | 2,901.00  | 80.00%  | 83.90%   |
| 0.00       | 1,936.50  | 0.00%   | 0.00%  |
| 188.00     | 353.00  | 5.00%   | 53.26%   |
|            | 2,434.00  70.00  0.00  0.00  0.00  0.00  0.00  0.00  0.00  1,162.50  617.00  4,565.00  4,247.00  665.50  108.00  4,418.50  0.00  768.50  96.00  68.75  202.50 | 188.00       353.00         0.00       1,936.50         2,434.00       2,901.00         70.00       7,892.50         0.00       0.00         0.00       1,135.00         0.00       3,088.75         0.00       366.25         0.00       323.85         0.00       3,229.50         935.00       2,315.00         1,162.50       2,499.50         617.00       3,291.50         4,565.00       5,461.00         4,247.00       11,331.00         665.50       6,167.25         108.00       108.00         4,418.50       6,781.50         0.00       677.00         768.50       1,839.50         96.00       633.00         68.75       340.25         202.50       1,560.50 | 188.00         353.00         5.00%           0.00         1,936.50         0.00%           2,434.00         2,901.00         80.00%           70.00         7,892.50         0.00%           0.00         0.00         0.00%           0.00         1,135.00         0.00%           0.00         3,088.75         0.00%           0.00         366.25         10.00%           0.00         323.85         0.00%           0.00         3,229.50         0.00%           935.00         2,315.00         0.00%           1,162.50         2,499.50         20.00%           617.00         3,291.50         0.00%           4,565.00         5,461.00         0.00%           4,247.00         11,331.00         0.00%           665.50         6,167.25         0.00%           108.00         108.00         0.00%           4,418.50         6,781.50         0.00%           768.50         1,839.50         0.00%           96.00         633.00         0.00%           68.75         340.25         0.00%           202.50         1,560.50         0.00% |



## To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that they have authorized the Facilities Division to go out for bids for the roof repair to Hallsville Elementary School.

(Unanimous vote)

Respectfully submitted,

Clerk of Committee

Lel Benner

AJ

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that they have approved the expenditure of \$9,000 from contingency to regrout and clean the ceramic tile flooring at Bakersville Elementary School.

(Unanimous vote)

Respectfully submitted,

Lel Berner



# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that they have approved Change Order #22 in the amount of \$5,745 for various projects.

(Unanimous vote)

Respectfully submitted,

Le A. Berner

AL

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Joint School Buildings respectfully advises, after due and careful consideration, that they have approved the expenditure of \$26,587.05 from contingency for the installation of new storage lockers for band instruments at Memorial High School.

(Unanimous vote)

Respectfully submitted,

La Demer



# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Lands and Buildings respectfully recommends, after due and careful consideration, that the Board of Mayor and Aldermen find property located on a portion of Second Street (Tax Map 314, Lot 7-A) surplus to city needs and that said property be disposed of through a land swap with David Larivee for a portion of land located on South Main Street (Tax Map 315, Lots 8 and 9). The Committee notes that it finds cause to dispose of the property in such manner in that it has been determined that there are no known City uses for the parcel, and that the land swap will resolve a difficult Trailway passage issue, bring development of the Piscataquog River Trailway closer to final realization, and serve an important public purpose. The Committee additionally notes that it is the Assessor's opinion that the value of both parcels being relatively equal, this is a fair swap and the Tax Collector has indicated no interest in the property as it is not a tax deeded parcel.

The Committee further recommends that the City Solicitor be authorized to prepare such documents as may be required to carry out such land swap and that the Mayor be authorized to execute such instruments as may be required subject to the review and approval of the City Solicitor.

(Unanimous vote)

Respectfully submitted,

In Benur.



# CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing Manchester, New Hampshire 03101 Tel: (603) 624-6520 – Fax: (603) 628-6288 Email: assessors@ci.manchester.nh.us Web: www.ManchesterNH.Gov



David M. Cornell, Chairman Thomas C. Nichols Stephan W. Hamilton

Christine Hanagan Assistant to Assessors

To:

Committee on Lands and Buildings

From:

Board of Assessors Danier

Date:

April 25, 2006

Re:

Consolidation & Lot Line Adjustment, Map 315- Lots 9 and Map 314 Lot 7-A

#### Dear Committee Members:

We are in receipt of a request involving a land swap. Specifically, the City will transfer parcel "A" to David Larivee. Parcel "A" consists of 4,368 S.F. of back land that abuts Map 315 Lot 9. In exchange, the City will receive parcel "B". Parcel "B" consists of 2,071 S.F., and has road frontage on South Main Street.

The parcel of land that the City is receiving, parcel "B", is smaller than parcel "A", the parcel that the City is giving. However, parcel "B" does have road frontage on South Main Street. Therefore, the Board of Assessors is of the opinion that the value of both parcels is relatively equal, and that this is a fair swap.

We remain available to answer any questions that you might have in the matter.

Respectfully submitted,

David M. Cornell

Thomas C. Nichols

Stephan W. Hamilton

RECEIVED

APK 20

CITY CLERK'S OFFICE



Robert S. MacKenzie, AICP Director

## CITY OF MANCHESTER

#### **Planning and Community Development**

Planning Community Improvement Program Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

April 24, 2006

Committee on Lands and Buildings City Hall One City Hall Plaza Manchester, NH 03101

re: Piscataquog River Trailway Land Swap – property of Larivee (TM 315, Lots 8 & 9) and City of Manchester (TM 314, Lot 7-A)

Honorable Committee Members:

The City Parks Department has reached a tentative agreement with Mr. David Larivee (Dave's Auto Center) to swap small parcels of land along the Piscataquog River Trailway in order to facilitate the development of subsequent phases of the Trailway. Both parcels were once part of the ROW for the old Manchester and North Weare Railroad Line and were acquired by the respective parties from the State of New Hampshire, which retained approval rights over future transfers of ownership in the former railroad line.

The particulars of the proposed land swap are shown on a map exhibit entitled "Consolidation and Lot Line Adjustment Plan, Map 314, Lot 7A & Map 315, Lots 8 & 9". If approved by the Board of Mayor and Aldermen, the City would transfer to Mr. Larivee a 4,366 s.f. parcel which abuts his business off S. Main Street (parcel "A") and would, in turn, accept a 2,071 s.f. parcel from Mr. Larivee (parcel "B"). The land gained by Mr. Larivee would be consolidated into his abutting "Dave's Auto Center" property and the land gained by the City would specifically allow for the continued passage of the public footpath past Mr. Larivee's property.

Surplus Determination: Because the land swap has (a) been reviewed and approved by the NHDOT, (b) resolves a difficult Trailway passage issue, (c) brings the development of the Piscataquog River Trailway closer to final realization, and, thus, (d) serves an important public purpose, we recommend that the 4,366 s.f. owned by the City (parcel A") be declared surplus to City needs.

Manner of Sale: Given the equitable reasonableness and the overall benefits to the City of the above land swap, I believe that approval of the proposed land swap would be appropriate.

If there are any questions, staff will be available at the committee meeting.

Sincerely,

Robert S. MacKenzie, AICP

Director of Planning and Community Development

Am



#### City of Manchester Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101 Joan A. Porter
(603) 624-6575 (Phone) Tax Collector
(603) 628-6162 (Fax)

#### Memorandum

DATE: /

April 26, 2006

TO:

Land & Building Committee

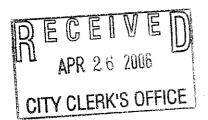
FROM:

Joan A. Porter, Tax Collector

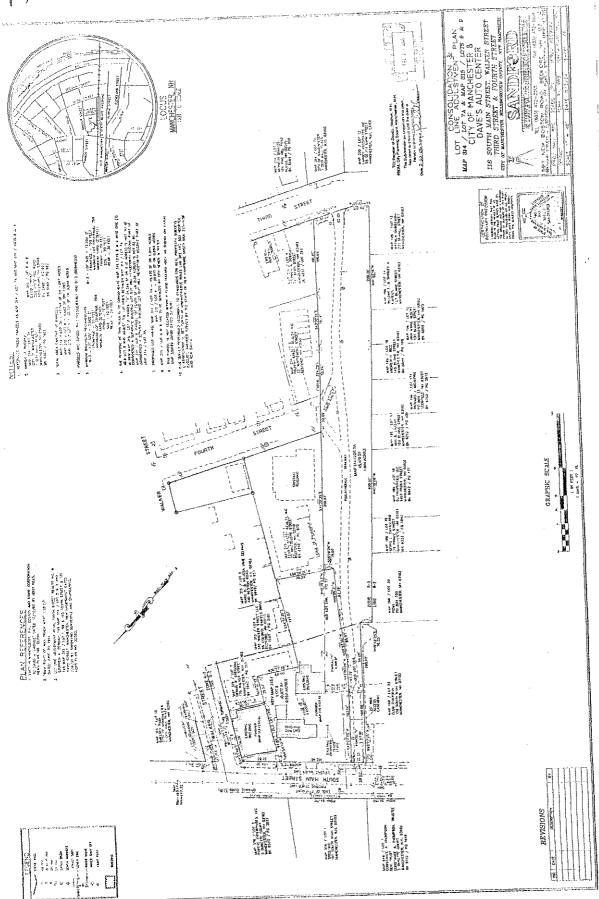
RE:

Map 314 Lot 7-A (Second Street)

The above-referenced property is not a tax-deeded parcel and as such the Tax Collector's office has no interest in its disposition.



PM



AN

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that a request from Auto City of Manchester to install a "road closed" sign on Depot Street, north side, west of Canal Street, be approved.

(Unanimous vote)

Respectfully submitted,

La Benner



Auto City of Manchester, Inc.

90 South Commercial Street · Manchester, NH 03101-2605 (603) 668-4088 · (603) 668-4094 Facsimile e-mail: info@auto-city.com · http://www.auto-city.com

# FACSIMILE TRANSMITTAL

To:

From:

Jim Hobin

Traffic / Highway Dept.

Fax: 603-624-6583

Paul Blouin

Tel: 603-668-4088, Ext. 12

Fax: 603-668-4094

Date: May 3, 2006

Pages 2 (Including Coversheet)

Re: South Bedford Street Closed Sign

Remarks:

Jim:

To follow, please find the Road Closed sign for South Bedford Street. We have a copy of this in PDF format too should you need it. If you do, please give Rob Bellen a call at the above number, ext. 10 and he can email it to you should you have the capability to receive.

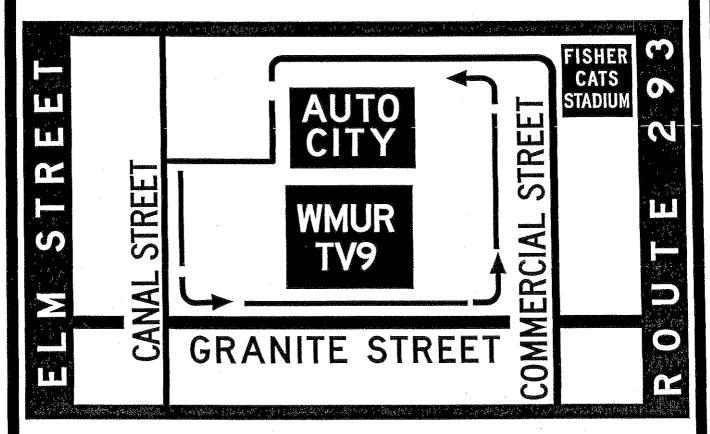
Thanks,

Paul Blouin

The following information herein this transmittal may be considered personal and confidential if you feel you have received this transmittal in error or are not the intended recipient, please return to the above address and Auto City of Manchester, Inc. shall reimburse your postage. The information herein may not be duplicated in whole or part without expressed consent of the sender.

AN

# NO OUTLET



USE SOUTH COMMERCIAL ST ENTRANCE



## To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully recommends, after due and careful consideration, that the following regulations governing standing, stopping, and parking and operation of vehicles, be adopted pursuant to Chapter 70 of the Code of Ordinances of the City of Manchester and put into effect when duly advertised and the districts affected thereby duly posted as required by the provisions of that chapter and chapter 335 of the Sessions Laws of 1951.

#### Section 70.36 Stopping, Standing, or Parking Prohibited

#### **CROSSWALK:**

On Sylvester Street, south of Varney Street

#### **STOP SIGNS:**

On Hobart Street at Hanover Street, NWC

On Theresa Court, southern terminus at South Beech Street, SWC

On Theresa Court, northern terminus at South Beech Street, SWC

On Dartmouth Street at Goffe Street, NEC, SWC (Backups)

On Gove Street at Rockland Avenue, NEC

On Lamprey Street at Rockland Avenue, NEC

On Shirley Hill Road at Rockland Avenue, NEC

#### 30-MINUTE PARKING:

On McQuesten Street, north side, from a point 30 feet east of Second Street to a point 36 feet easterly

#### **RESCIND - NO PARKING ANYTIME:**

On McQuesten Street, north side, from Second Street to a point 65 feet easterly (ORD. 8101)



# Public Safety and Traffic Report Page 2.

#### NO PARKING ANYTIME:

On Old Wellington Road, south side, from Eastern Avenue to Karatzas Avenue On Taylor Street, west side, from Valley to a point 125 feet south On Taylor Street, west side, from a point 205 feet south of Valley to Hayward St. On Pearl Street, south side, from Chestnut Street to Pine Street

#### NO PARKING ANYTIME (NOVEMBER 15 – APRIL 15):

On Pearl Street, south side, from Pine Street to Union Street

#### RESCIND NO PARKING ANYTIME (NOVEMBER 15-APRIL 15):

On Pearl Street, south side, from Chestnut Street to Union Street (ORD. 8964) On Pearl Street, south side, from Chestnut Street to Union Street (ORD 8946)

#### NO PARKING DURING SCHOOL HOURS (EMERGENCY ACT):

On Roysan Street, both sides, from Lois Street to Jeannine Street

#### **NO PARKING DURING SCHOOL HOURS:**

On Joshua Drive, north side, from Hoyt Street to Roysan Street
On Joshua Drive, south side, from Roysan Street to the west property line of 25
Joshua Drive
On Joshua Drive, south side, from east property line of 25 Joshua Drive

#### NO PARKING - DRIVEWAY:

19-23 Country Club Drive

#### **RESCIND NO PARKING ANYTIME:**

On Taylor Street, west side, from Valley Street to Hayward Street
On South Jewett Street, west side, from Constant Street to Weston Road (ORD. 8570)

#### RESCIND NO PARKING (7AM-3PM/MON-FRI):

On South Jewett Street, east side, from Weston Road to a point 30 feet south of Seames Drive (ORD. 8603)

## RESCIND NO PARKING DURING SCHOOL HOURS:

On Joshua Drive, both sides, from Roysan Street to Hoyt Street (ORD. 9028)

#### **RESCIND BUS STOP DURING SCHOOL HOURS:**

On South Jewett Street, east side, from a point 30 feet south of Seames Drive to a point 50 feet south of Maurice Street (ORD. 7356)



Public Safety and Traffic Report Page 3.

#### **RESCIND PARKING FOR POLICE VEHICLES ONLY:**

On Wilson Street, east side, from a point 50 feet north of Harvard Street to a point 50 feet northerly (ORD. 8114)

#### **NO RIGHT TURN ON RED:**

On Varney Street at South Main Street (westbound)

#### **SINGLE YELLOW PAINTED LINE:**

On Rhode Island Avenue from Hanover Street to Bridge Street

#### REPEALING PROVISIONS

That all rules and regulations now in effect in accordance with the provisions of an Ordinance "Chapter 70 Motor Vehicles and Traffic" as adopted August 6, 2002, with subsequent amendments thereto and inconsistent with the traffic rules and regulations herein adopted be repealed.

(Unanimous vote)

Respectfully submitted,

Let Berner.



Office of the Mayor Hon. Frank C. Guinta

May 16, 2006

The Honorable Board of Mayor & Aldermen One City Hall Plaza Manchester, NH 03101

Dear Members of the Honorable Board:

Pursuant to Section 3.14 (b) of the City Charter, please find below the following nominations:

- (1) Gerard L Thibodeau to succeed Jen Drociak as a member of the Conservation Commission, term to expire August 1, 2006;
- (2) Celia Phillips to succeed Jessica Kinsey as a member of the Arts Commission, term to expire December 1, 2007;
- Omer Beaudoin to succeed Sean Toomey as the labor representative member of the Fire Commission, term to expire May 1, 2009;
- (4) Peter Favreau to succeed himself as a member of the Fire Commission, term to expire May 1, 2009;
- (5) Michael J Landry as an alternate member of the Planning Board, term to expire May 1, 2007.

These nominations will layover to the next meeting of the Board pursuant to Rule 20 of the Board of Mayor & Aldermen. Your consideration of these nominees is appreciated in advance.

Sincerely,

Frank C. Guinta

Mayor



#### Celia S. Phillips

497 Silver Street, Apt 206 • Manchester, NH 03103 Cell: 603-315-1611 • Email: Cphillips@concordnhchamber.com

#### WORK EXPERIENCE

#### **Greater Concord Chamber of Commerce**

Communications Manager Communications and Special Events Coordinator Concord, NH
December 2005 to present
March 2005 – December 2005

- Responsible for all media communications.
- Create and design marketing and promotional materials and write and edit newsletter publication.
- Update and edit Web Site and oversee and facilitate several committees.

#### Governor Craig Benson Re-election Campaign

Deputy Campaign Manager

Manchester, NH July 2004 – Nov. 2004

- Created business plan for campaign, including organizing and arranging business tours and obtaining endorsements; developed relationships with key business leaders to generate financial and media support for the campaign.
- Managed all events. Organized and led debate preparations, including research and negotiations. Supervised logistics for anti-sales and property tax issues bus tours involving 3<sup>rd</sup> party groups, citizen activists, and business owners responsible for logistics. Supervised itinerary for Governor Romney bus tour including coordination with Romney advance team, participating businesses' CEOs, and set up of a private business lunch. Coordinated program for Governor Pataki breakfast and planned primary and general election night events arranging hotel and media involvement.

#### President George W. Bush Re-election Campaign

Coalitions Director

Manchester, NH Nov. 2003 – July 2004

 Organized 20 coalitions (i.e. small business owners) for the campaign. Recruited key leaders within respective fields, held networking meetings, planned announcements of various coalition teams with communications director – highlighting key leaders endorsements and coordinated with national dignitaries for their participation.

#### Carlos Gonzalez for Mayor Campaign

Campaign Manager

Manchester, NH July 2003 – Nov. 2003

 Responsible for day to day operations, oversaw staff of two, coordinated all media and fundraising events, developed budget, message and strategy.

#### Office of the Governor for the State of New Hampshire

Director of Appointments/Liaison to the Executive Council

Concord, NH Jan. 2003 – July 2003

- Recruited and evaluated candidates to serve on over 300 volunteer boards and commissions.
- Organized bimonthly meeting with the Governor and the Executive Council (5 member Executive Branch); arranged breakfast meetings, informed council on Governor appointees, relayed concerns between Council and Governor, briefed Governor on action items for each meeting prior to each meeting, analyzed agenda items and reviewed appointee considerations with the Governor.

#### Michael J. Landry, P.E.

10

104 Megan Drive Manchester, New Hampshire 03109 (603) 540-9029

Objective: An opportunity to serve the City of Manchester's Planning Board

#### **Education:**

University of New Hampshire, College of Engineering and Physical Sciences, BS Civil Engineering, May 1989 Massachusetts School of Law, JD, 2001, Magna Cum Laude

#### **Professional Licenses and Certifications:**

Licensed Professional Engineer, State of New Hampshire, License Number 9533 Member of New Hampshire Bar, #15151 Member of Massachusetts Bar, BBO # 651444 Admitted to Federal District of New Hampshire Bar Registered Patent Attorney, USPTO # 54,250

Work Summary: Seventeen years of combined construction management experience in the areas of cost and scheduling engineering, contract administration and resolution of construction disputes and claims — on two world-class projects with the same company.

#### Michael J. Landry, Attorney at Law - April 2006 to Present

Growing a small private practice in Manchester, currently dealing with small matters in the general practice of law.

#### ICF Kaiser Engineers / Earth Tech Inc. - July 1989 to April 2006

- Walnut Hill Water Treatment Plant Project Marlborough, Massachusetts March 2000 to Present Currently, as Manager of Support Services, responsible for the management and administration of a \$31Million construction management services contract on the \$250 Million Walnut Hill Water Treatment Plant. Other duties include managing a staff of eight performing Project Controls, Change Order and Claims Administration, Document Control and Minority Business Enterprise Compliance. As a Cost and Schedule Engineer, created and maintained the Program Master Schedule which coordinated interfaces between work at Walnut Hill and the Authority's MetroWest Water Supply Tunnel, as well as identify for mitigation potential threats to the critical path. Reviewed contractor's baseline schedules for completeness and constructability. Analyzed potential impacts to the critical path as well as start-up sequence caused by change orders and clarifications. As a Claims Analyst, prepared detailed analyses of contractors' claims to determine merit.
- Boston Harbor Project Deer Island, Boston, Massachusetts July 1989 to March 2000

  Worked as a Cost and Schedule Engineer and Claims Analyst on the \$4.1 Billion waste water treatment plant on Deer Island, with progressive increases of responsibility over the 11 years. Developed Critical Path Method (CPM) Baseline Schedules based on 30%, 60%, and 90% designs to assist in contract interface coordination and determine contract time. Reviewed contractors' CPM Baseline Schedule with up to 2,800 activities and Schedule of Values with up to 1,500 accounts submitted for contract compliance. Updated Baseline Schedule and Schedule of Values with contractor on a monthly basis. Prepared monthly progress update reports on as many as five contracts. Performed time extension analyses for change order work and claims. Negotiated with the contractor based on the change order analyses. As a Claims Analyst performed detailed analyses of contractor's claims, ranging from \$10,000 to \$4 Million and involving complex technical, as well as contractual, issues.

<u>Eagle Construction Company</u> - Nashua, New Hampshire. School breaks 1985 to 1989 Framer and Sheetrocker for commercial and retail buildings with detailed soffit and atrium work.

<u>Vanguard Drywall Company</u> – Hudson, New Hampshire – Summers of 1984 and 1985 **Laborer.** 

# 15

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Section 70.78 Basic Penalty to provide a specific penalty for parking in a driveway and for parking in front of a fire hydrant."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

oh. M. Benner

15

#### To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Public Safety and Traffic respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Section 70.78 Basic Penalty to provide a specific penalty for parking in a driveway and for parking in front of a fire hydrant."

providing for increased fines, and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

|   | Respectfully submitted, |
|---|-------------------------|
| ** a meeting of the Board of Mayor and Aldermen       | 1 110                   |
| old April 4, 2006 on a motion of Ald. O'Neil          | ( and fly               |
| uly seconded by Longthe report                        | Clerk of Committee      |
| of the Committee How eccepted and its recommendations | V                       |
| (adopted) (denied)                                    |                         |
| Ow Clerk  |                         |

#### City of Manchester New Hampshire

In the year Two Thousand and Six

#### AN ORDINANCE

Amending Section 70.78 Basic Penalty to provide a specific penalty for parking in a driveway and for parking in front of a fire hydrant

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

> Amending Section 70.78 Basic Penalty by inserting new language shown in bold. I.

> Each owner or operator of a vehicle found in violation of any provision of Chapter 70 may, within seven days of the time the notice of such violation was attached to the vehicle, pay in person or by mail to the Ordinance Violations Bureau as a penalty for and in full satisfaction of each violation the following sum:

Expired Parking Meter \$10.00 Overtime Parking 15.00 Night Parking 15.00 No Parking Zone 20.00 No Parking Tow Zone 25.00

Handicapped Zone 250.00

Handicapped Parking Space

Access Aisle

First Offense 50.00

Subsequent Offenses 100.00

Fire Lane 25.00

Parking within 15 feet of a fire hydrant

First Offense 50.00

Second Offense 100.00

Parking within 5 feet of a private driveway

First Offense 50.00

Second Offense 100.00

Failure to make the required payment within the established time period shall subject the person responsible for such payment to the prescribed increased penalty.

This Ordinance shall take effect upon its passage.



#### To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinances of the City of Manchester."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

Lett. Berner

Clerk of Committee

#### To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully recommends, after due and careful consideration, a request for reorganization of the management structure of the Health Department, which now provides for the reclassification of two positions and the establishment of one full-time position be approved, and for such purpose advising that it has submitted Ordinance:

"Amending Section 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinances of the City of Manchester."

outlining abolishment and establishment of various positions relating to this reorganization and having approved same recommends that this ordinance be referred to the Committee on Bills on Second Reading for technical review.

(Aldermen Shea, Garrity, Pinard and Duval voted yea; Alderman Gatsas voted nay.)

| At a meeting of the Board<br>held March 21, 2006 |                              | Respectfully submitted, |
|--|------------------------------|-------------------------|
| duly seconded by Akd                             |                              | son ho R. Berner        |
|  | epted and its recommendation | Clerk of Committee      |
| (adopted) (denied)                               | Johnson -                    |                         |

## City of Manchester New Hampshire

In the year Two Thousand and

SIX

#### AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, is follows:

#### SECTION 33.024 CLASSIFICATION OF POSITION be amended as follows: Abolish Deputy Public Health Director

Establish Public Health Administrator

#### SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Abolish Deputy Public Health Director, Grade 25 Establish Public Health Administrator, Grade 24, exempt Reclassify (1) Public Health Specialist III, Grade 21 to Public Health Administrator, Grade 24

#### SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Abolish Deputy Public Health Director, Class Code 7107 Establish Public Health Administrator, Class Code 7114

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.





### City of Manchester, New Hampshire

#### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Public Health <del>Preparedness</del> Administrator |
|-------------------|---|
| Class Code Number | 711 <b>4</b> -23-24                                 |

#### General Statement of Duties

Establish strategic leadership, direction, coordination and assessment of activities pertaining to bioterrorism, infectious *and chronic* disease outbreaks and other public health threats and emergencies. Plans, directs, coordinates and supervises all environmental public health activities as assigned, to the Manchester Health Department; performs directly related work as required.

#### Distinguishing Features of the Class

The principal function of an employee in this class is to ensure that all environmental public health concerns are addressed according to professional standards and that environmental laws are enforced. The work is performed under the supervision and direction of the Public Health Director but extensive leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees within a major division, or divisions within the Department the classes of Environmental Health Specialist I and II, Public Health Specialist I and II. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with City officials, business owners or managers, other City employees and the public. The principal duties of this class are performed both indoors and outdoors, often in hazardous situations.

#### Examples of Essential Work (illustrative only)

- Assess public health system capacities by conducting an integrated assessment of public health and legal system capacities;
- Assist in the development of a statewide emergency response plan including mutual aid agreements, and the provision for regular exercises to test response proficiency;

- Develop a city/regional plan to respond to acts of bio terrorism, infectious disease outbreaks and other public health threats and emergencies;
- Coordinate with federal response assets to develop a plan to receive and manage items from the National Pharmaceutical Stockpile;
- Maintain De velop-a formal system to receive and evaluate urgent disease reports from all parts of the state and city on a 24 hour per day, 7 day per week basis;
- Rapidly and effectively investigate and respond to a potential terrorist event, or other public healththreat, as evidenced by ongoing response to naturally occurring individual cases of urgent public health importance;
- Develop and implement a jurisdiction-wide program to provide rapid and effective laboratory services by assisting the State Public Health Laboratory in improving relationships with clinical laboratories in Manchester and establish operational relationships with the Manchester Fire and Police Departments to provide laboratory support;
- Plan Coordinate a Health Alert Network that provides a 24/7 flow of critical health information among hospital emergency departments, state and local health departments, City agencies and others;
- Ensure ongoing protection of critical data and secure exchange of information by assessing and developing policies and procedures for protection of critical information and continuity of operations;
- Provide needed health/risk information to the public and key partners during a terrorism event or other public health emergency;
- Deliver appropriate education and training to key public health professionals, infectious disease specialists, emergency department personnel and other health care providers;
- Plans, directs, coordinates and supervises public environmental health activities involving multiple programs;
- Performs environmental health, industrial hygiene, sanitary, disease control and epidemiological inspections;
- Investigates complaints and inspection problems resolving them via standards, regulations and policies;
- Initiates and reviews inspection public health reports, including communicable and chronic disease studies;
- Initiates enforcement proceedings and testifies at legal proceedings;
- Reviews and authorizes issuance of permits and licenses;
- Reviews and approves complex septic system plans;
- Performs environmental health specialist duties as needed;
- Evaluates and recommends public health standards and legislation;
- Advises governmental, community organizations and individuals on environmental health, technical standards and departmental services;
- Plans and conducts professional level environmental and public health education training programs;
- Performs supervisory and personnel tasks relating to the division;
- Prepares, analyzes, reviews and critiques reports, records, correspondence, statistical data and related records:
- Assumes responsibilities of the Public Health Director as needed;

(6)

- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning
  work progress, including present and potential work problems and suggestions for new or
  improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.
- Plans, develops and coordinates public health policies and procedures;
- Coordinates all aspects of the Public Health Improvement/Community Assessment Division;
- Coordinates all Federal and other grant programs of the Department;
- Confers with Department staff to track implementation of policies and make specific recommendations and suggestions on Division or Departmental operations;
- Coordinates various committees relating to community health issues, including the "Healthy Manchester Coordinating Council;
- Develops interventions to meet community needs, including creating evaluation methods to assess progress of interventions;
- Collects and organizes data to identify community health needs;
- Conducts studies and surveys to assess community health needs;
- Organizes community support for public health activities;
- Performs special projects for the Public Health Director as requested;
- Serves as the Public Health Director during an absence;

#### Required Knowledge, Skills and Abilities (at time of appointment)

- Comprehensive knowledge of the practices, principles and methods of environmental and public health administration;
- Thorough knowledge of environmental *public* health practices, bioterrorism and industrial hygiene disease prevention principles;
- Thorough knowledge of epidemiology, communicable diseases control, and insect vector control practices;
- Thorough knowledge of applicable Federal, State and Municipal laws and regulations related to environmental and public health;
- Thorough knowledge of and ability to complete complex septic system design and inspection reviews;
- Thorough knowledge of hygiene matters and indoor air quality issues;
- Thorough knowledge of supervisory practices and techniques;

- 16
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Thorough knowledge of disease control programs;
- Thorough knowledge of preventative initiatives in public health areas;
- Thorough knowledge of current principles and practices of public administration;
- Thorough knowledge of budgetary principles within a municipality;
- Thorough knowledge of public/media relations principles;
- Ability to provide administrative direction within a municipal Department;
- Ability to analyze environmental public health situations, to interpret findings in relation to public health, and to recommend effective and appropriate measures of control of environmental hazards;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Some knowledge of labor relations, public relations, and budget activities;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

#### Acceptable Experience and Training

- Graduation from an accredited college or university with a Master's Degree in Environmental Sciences, Public Health or a closely related field; and
- Considerable experience in public or environmental health work, including some supervisory role; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

#### Required Special Qualifications

- New Hampshire Designer of Subsurface Disposal System License;
- Valid New Hampshire Driver's License.

#### Essential Physical Abilities

• Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;

Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to function in review a wide variety of material in both electronic and hardcopy form;

Sufficient manual dexterity with or without reasonable accommodation, which permits the

employee to function in operate a personal computer and related equipment;

• Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to function in have access to various work sites throughout the City.

| Approved by:      | BMA Da   | ate: _ | 11/19/02 |
|-------------------|----------|--------|----------|
| Date Established: | 11/19/02 |        |          |



#### CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza Manchester, New Hampshire 03101-4000 Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065



January 31, 2006

Alderman Ted Gatsas, Chairperson Human Resource and Insurance Committee City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

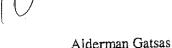
Re: Request for Reorganization and Reclassifications, Health Department

Dear Alderman Gatsas and Members of the Committee:

On behalf of Fred Rusczek, Director, Health Department, I am requesting a minor reorganization of the management structure of the Health Department, the reclassification of two positions, the establishment of one full time position and one part time position. If approved, this request would also include the elimination of the class specification and position of Deputy Public Health Director as well as the elimination of the class specification Public Health Preparedness Administrator.

If approved, this reorganization would eliminate one level of management. As you will note from the current organizational chart, the current structure has three tiers of administrative management. The proposed structure, reduces the reporting levels to two within the administrative areas. The Deputy Director position would be eliminated and the duties that have been assigned to that classification, would be divided and shared by two current administrative positions. Specifically, one Public Health Specialist III, salary grade 21 position, and the Public Health Preparedness Administrator position, salary grade 23, would be reclassified to a new class specification titled Public Health Administrator, salary grade 24. Please see proposed organization chart dated, January 2006. In the absence of the Director, one or the other of these positions would be responsible for management of the Department.

The establishment of one full time Public Health Specialist II, salary grade 19, and one half time Customer Service Representative II, salary grade 12 will be assigned to the Community Epidemiology and Disease Prevention Division and School and Youth Health Divisions respectively. The authorization of the Public Health Specialist position will be to meet pressing public health needs.



This proposed reorganization will not cost the City any additional funds. Rather, the net savings will be \$8,615.

In summary the proposed reorganization would result in the following changes:

- Abolish the Deputy Public Health Director position
- Establish new class specification, Public Health Administrator
- Reclassify Public Health Specialist III to Public Health Administrator
- Reclassify Public Health Preparedness Administrator to Public Health Administrator
- Establish one full time Public Health Specialist II position
- Establish one part time Customer Service Representative II position
- Abolish Public Health Preparedness Administrator class specification

I am attaching a copy of the current organizational chart as well as the proposed organizational chart. Also attached is the proposed Public Health Administrator class specification as well as the financial information for this reorganization.

Your favorable approval of these requests would be greatly appreciated.

Respectfully submitted, Nuquio a. Lamberder

Virginia A. Lamberton Human Resources Director

Cc: Fred Rusczek, Director

Attachments



### CITY OF MANCHESTER Department of Health

1528 Elm Street
Manchester, NH 03101-2106
Telephone: (603) 624-6466
Administrative FAX: (603) 628-6004
Community Health FAX: (603) 665-6894
School FAX: (603) 624-6584
www.ManchesterNH.gov

BOARD OF HEALTH

Nicholas Skaperdas, D.M.D., Clerk Jazmin Miranda-Smith, M.Ed. Carol Bednarowski Laura Smith Emmick, M.D. Mary Mongan, R.N.

> Frederick A. Rusczek, M.P.H. Public Health Director

Richard DiPentima, R.N., M.P.H. Deputy Public Health Director

January 24, 2006

Virginia Lamberton, Director Human Resources Department One City Hall Plaza Manchester NH 03101

RE: Reorganization of Health Department to Deal with Impending Retirement of Deputy Director

Dear Ms. Lamberton:

With the impending retirement of Richard DiPentima, the Health Department seeks to reorganize its staff in order to meet current work needs.

At no time in memory has the need for knowledgeable and skilled public health workers been so important to the protection of the public. Mr. DiPentima had a broad array of public health knowledge and skills that was developed over a career in public health. We are fortunate to have several professionally prepared staff who can provide quality public health services to the community for many years to come. With our proposed reorganization, we plan to redistribute the deputy director's duties to senior managers and to raise staff salaries commensurate with new duties. This will free up the resources needed to hire a public health specialist and a part time clerk which are necessary for our operations, while expanding the expert knowledge of existing staff.

There are three intended outcomes of this reorganization:

- 1. The financial resources of the Deputy Director position will be utilized to meet pressing public health needs, through the creation of a lower pay level public health specialist position and a part time customer service representative to support administrative functions.
- 2. Existing health department staff will subsume Deputy Director responsibilities in this reorganization, and in the process will increase the depth of public health management skills with the department.
- 3. Create a cost savings, albeit modest.

The work that the deputy completes for the department is necessary work. Our organization is such that we don't use duplicative staff to complete duties, so there isn't anyone else who has been working with the deputy director who can automatically assume this role. The Department also strives to use staff at the fullest extent of their professional expertise. For example, the

Department's Medical Director position is structured so that professional skills of a physician are not lost to administrative matters that staff at a lessor pay level can complete.

For this reason, the most practical and cost efficient resolution to how to complete the duties of the deputy position is to expand the duties of two qualified individuals currently on staff rather than continue the deputy position. This also serves the benefit of developing staff to handle the administration of Department matters and oversight of public health programs. To create the capacity of these two staff to complete the additional duties assigned with the elimination of the deputy position, the department seeks to create a public health specialist II position.

The part time customer service representative position that we desire to fill with the savings generated by this reorganization is necessary to complete clerical and receptionist duties. This 20 hour position was part of our staffing complement until we needed to abandon it in our FY 02 budget to meet appropriation levels. Among other duties associated with growing services, the position will enable us to complete new evening clinical duties without having to pay overtime.

Enclosed is a job description for a proposed public health administrator position that expands the duties of the public health preparedness and environmental health administrator position. Also enclosed is the proposed organizational chart and a spreadsheet that details the costs and savings of these changes.

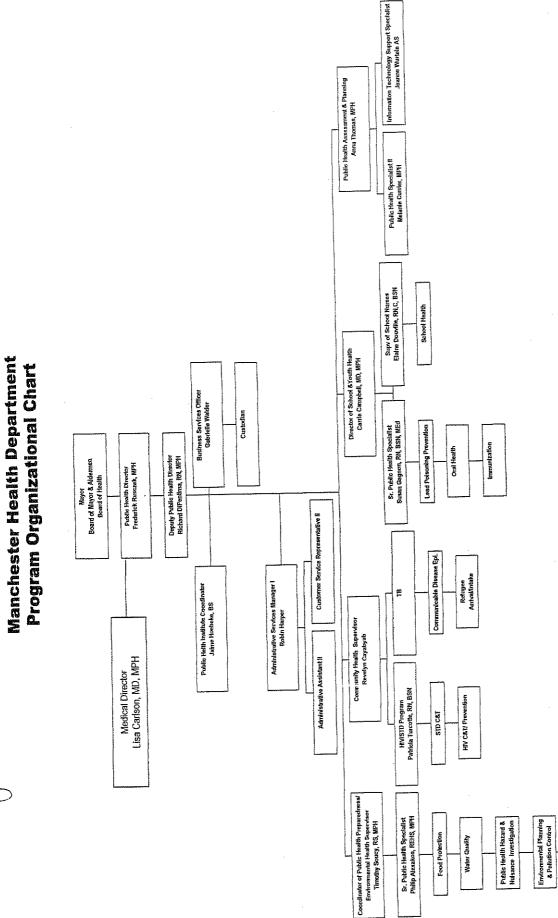
Please feel free to call me at any time if you have any questions on this matter.

Sincerely,

Frederick A. Rusczek, MPH

Public Health Director

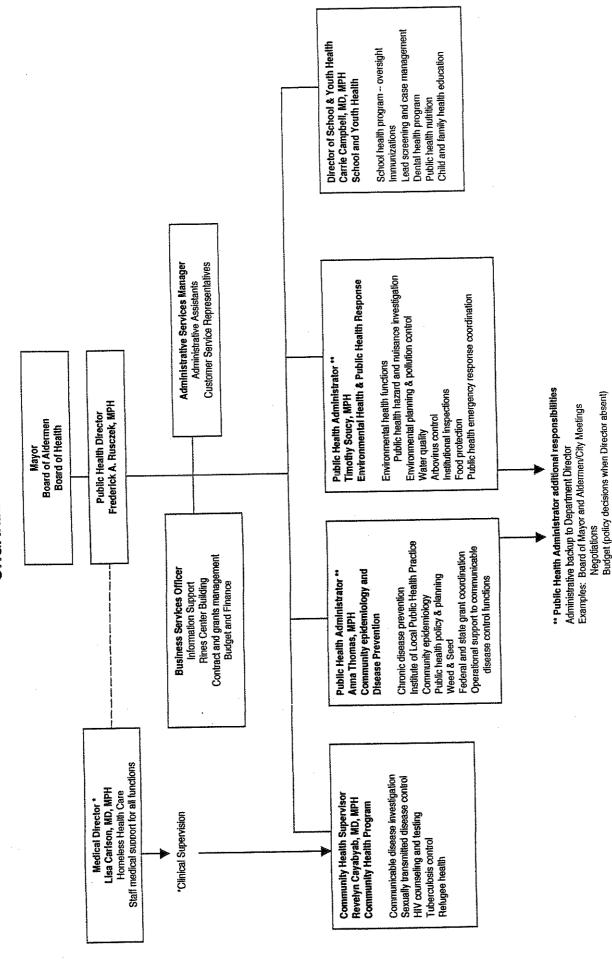
cc: Sean Thomas, Mayoral Assistant



16

Institutional Inspections

## MANCHESTER HEALTH DEPARTMENT ORGANIZATIONAL CHART



16

#### FINANCIAL CONSIDERATIONS OF HEALTH DEPARTMENT RESTRUCTURING

#### Elimination of Deputy Public Health Director Position

| Resultant Savings:  Approximate FY 05 Salary and benefits for deputy position                                    | <u>\$111,000</u> |
|--|------------------|
| New costs:  1. Upgrade two senior staff to new public health administrator classification (salary and benefits): | \$21,408         |
| 2. New positions .5 FTE customer service representative  | \$23,332         |
| Public health specialist II 42,700 14,945 (benefits @ 35 %)  | \$57,645         |
| Total New Costs  | <u>\$0</u>       |
| Net Savings:   | \$8,615          |



## CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

MEMORANDUM

To:

Virginia Lamberton

Human Resources Director

From:

Leo R. Bernier

City Clerk

Date:

February 9, 2006

Re:

Reorganization of the Management Structure of the Health Department

Please be advised that at the January 6, 2006 meeting of the Committee on Human Resources/Insurance, it was voted to table item 4 relating to the above-referenced request.

Chairman Gatsas requested that the Human Resources Department provide additional information regarding two scenarios as outlined in the enclosed copy of an excerpt of the minutes regarding this matter.

Please forward your response to the committee in care of this office.

Enclosure

Alderman Shea moved for discussion. Alderman Pinard duly seconded the motion. The motion carried.

Ms. Lamberton stated since I wrote this letter and it was sent to the City Clerk's office Tom Bowen asked me to change this one thing on the WTP Chief Operator class specification.

Chairman Gatsas asked do I have a motion?

Alderman Duval moved to approve the recommended updates for class specifications in the Water Works Department. Alderman Garrity duly seconded the motion. There being none opposed, the motion carried.

Chairman Gatsas asked Ms. Lamberton for item 4 relating to the Health Department request could you do two work ups so that we see them one that we would put in a new Deputy Director and what that salary range would start at...putting those two people in their flow charts as they are, what that is and a price work up.

Ms. Lamberton stated you mean if it was one or the other of those two people.

Chairman Gatsas stated it doesn't matter if we started somebody and just upgraded those two people at the levels we were talking about in today's situation and not putting in the part-time and the full-time specialist.

Alderman Duval stated I hold Mr. Rusczek in the highest regard...I'm just concerned, I just want to make sure that the efficiencies that he's proposing we are indeed going to experience and that was the reason for the line of question. If indeed a department has worked diligently on trying to come up with ways to run their department more efficiently then I think we should applaud their efforts and I respect the questions asked by Alderman Shea as well and I just want to make sure that if indeed it results in a savings then we experience those savings.

Chairman Gatsas addressed item 7 of the agenda:

7. Communication from Leo Bernier, City Clerk, seeking recommendation to the full Board that the position of City Clerk be established at a Salary Grade 27, effective December 6, 2005.



#### CITY OF MANCHESTER

Human Resources Department



One City Hall Plaza

Manchester, New Hampshire 03101

Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065

www.ManchesterNH.gov

February 24, 2006

Alderman Ted Gatsas, Chairman Human Resource and Insurance Committee City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Item 4, Additional Information

Dear Alderman Gatsas and Members of the Committee:

At the Human Resource and Insurance Committee meeting on February 6, 2006, additional financial information was requested for the Health Department Reorganization, Item 4.

I am attaching the information that the Committee requested. As you will note, there will be a minimal savings by replacing the Deputy and a larger savings if the proposed reorganization is approved.

Please let me know if you need any additional information.

Respectfully submitted, Nuquio a Law ber fin-

Virginia A. Lamberton Human Resources Director

Attachment

Cc: HRIC Committee Fred Rusczek, Director

RECEIVED
FEB 2 7 2006
CITY CLERK'S OFFICE

## Financial Considerations of Health Department Restructuring

## Elimination of Deputy Public Health Director Position

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n Savings:

FY 06 Salary and benefits for deputy position:
(Richard DiPentima)

| \$86,260 | \$25,572 | \$111,831                 |
|----------|----------|---------------------------|
| Salary   | Benefits | Total Salary and Benefits |

### New costs:

Upgrade two senior staff to new public

health administrator classification (salary and benefits):

| 25,863 105,794 83,035 3,104 621 23,601 93,416 73,775 3,960 792  Total reclassification cost:  19,705 Salaries and benefits | Cerrent | Current Current Total<br>Safary Renefits Sal &         | Total<br>Sal & Ren | Proposed Salary<br>Salary Increase | Salary<br>Increase | Adamonai<br>Benefits* |          |
|--|---------|--|--------------------|------------------------------------|--------------------|-----------------------|----------|
| Total reclassification cost: 19,705 Salaries and benefits  | - II- W | ,931<br>,815   | 105,794            | I I I                              | 3,104              | - <i>'</i>            | 3,724    |
| 19,705 Salaries and benefits   |         |  |                    | Total reclass                      | sification сс      | 286                   | \$8,476  |
| 19,705 Salaries and benefits   | nta     | New positions<br>5 FTE customer service representative |                    |                                    |                    |                       | \$23,332 |
|  | 42      |  |                    | Salaries and                       | l berteffts        |                       | \$62,405 |

Notes: \* Additional benefits calculated at 20 % of increase, since health and dental costs do not change with increase

\*\* Public Health Specialist II Benefits are based on "worst case" scenario as detailed helow:

PHS II benefits:

MT-\$11364.00 Dental-\$1238.99

Disability - \$ 53.00 Life - \$59,00

City Retire - \$3723.44 FICA - \$3266.55

Total - \$19704.98

## 1

## Manchester Health Department

# Review of Current and Proposed Organization Models

| Current Deputy Model   | Proposed 2 Public Health Administrator Model  |
|--|---|
| Personnel:   | Personnel:  |
| ( Deputy Public Health Director  | 2 Public Health Administrators from upgrade of existing staff 1 Public Health Specialist II (new) replacement for deputy position 25 FTE Admin Assistant currently covered by revenue from School District will revert to City Public Health & replaced for school program with school term 5 FTE customer service representative |
| Cost/Sayings (FY.06 salary figures)  | CostlSavings  |
| FY 06 Deputy Director Cost \$ 111,831  | Upgrade two senior staff to new public health administrator classification (salary and benefits):   |
| Replacement cost: Minimum safary & benefits to be above subordinate, per City Ordinance 33.051- \$ 108,871 | am;<br>3fy)   |
| Deputy replacement savings \$ 2,960  | ~Public health specialist II \$57,645 Salary \$ 42,700; benefits \$ 14,945 (benefits estimated @ 35 %)  |
|  | Total \$89,453 Savings per year (over current budget) \$22,378 \$19,418   |
| Prostons & San   | Pictitions  |
| Does not require reclassification process and ordinance change   | Creates greater depth in organization to handle public health issues from<br>the expansion of duties for 2 senior managers; this depth will be necessary<br>in the event of a fire nandemic, or other public health crisis.   |
| Continues simple chain of command, and single backup for department head                                   | Public health specialist II position picks up displaced work of public health administrator which further develops  |
| Future considerations - Department will have one potential candidate for Department Head in the future     | Future considerations - Department will have two fully prepared candidates for deputy director and/or director position   |

#### CITY OF MATICIASION



Hon. Frank C. Guinta

16

February 23, 2006

Human Resources & Insurance Committee City Hall One City Hall Plaza Manchester, NH 03101

RE: Restructuring of Health Department following retirement of Deputy Director

#### Dear Chairman Gatsas:

I have reviewed the proposed restructuring of the Health Department following the retirement of its deputy director and support this reorganization as detailed below.

The proposed restructuring eliminates the deputy director position and reassigns duties, with a commensurate pay increase and reclassification, to two existing staff, as well as creates a lower level public health specialist position to pick up displaced duties. This will enable the Department to complete its public health work and will create greater depth within the organization to handle the City's public health issues. While I understand the reasons behind the Department's request to use some of the savings for a part time customer service representative, I do not support filling this support staff position at this time. My staff and I will continue to examine alternatives to address the Health Department's support staff needs in the FY 07 budget preparation.

As proposed, the Health Department reorganization will result in a savings of at least \$ 17,600 over the FY 06 budget for the deputy position. By holding the customer service representative position open at this time, the resultant savings will be over \$ 40,000. Most importantly, essential public health services will be continue to be provided to the City.

I therefore request that the Human Resources Committee act upon this matter as soon as possible and urge your approval of this important request.

16

If you have any further questions regarding this matter, I would be glad to assist the committee. Please contact me at your convenience.

Sincerely,

Frank C. Guinta

Mayor

#### To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Sections 33.024, 33.025 & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

Clerk of Committee

#### To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully recommends, after due and careful consideration, that there be a reorganization of the Traffic Department and Parking Operations to become effective July 1, 2006 by creating a Division of Traffic and a Division of Parking with the following provisions:

- a) that Jim Hoben, Deputy Traffic Director, be grandfathered in at Grade 22 (upon his departure from city service the position would be reevaluated);
- b) that Jim Hoben (grandfathered) be made Traffic Operations Manager at Grade 22;
- c) that Denise Boutilier become the administrator (Grade 16) in the Parking Enterprise Fund and review of this position shall be made by the Human Resources Director after 6-12 months to see if the position is properly classified with report to the full Board of Mayor and Aldermen at a later date;
- d) that two Parking Meter Technicians at Grade 12 be assigned to the Division of Parking;
- e) that a Parking Manager be hired under the Enterprise System at Grade 25;
- f) that the parking Enterprise Fund administrator (Denise Boutilier) and the two Parking Meter Technicians shall report to the Economic Development Director;
- g) that the Human Resources Director will work with the Economic Development Director and others if need be to assist in the development of a job classification for a Parking Manager at Grade 25 so it can be advertised as soon as possible; and
- h) the city move forward with an RFP for new display meters as soon as possible so as to aid all Board members in their deliberations and final decision.

Report of Committee on Administration May 2, 2006 Page 2 6

The Committee also recommends that funding for Jim Hoben, as Traffic Operations Manager, be placed in the FY07 budget.

The Committee further recommends that the affiliation of the Parking Control Officers under the supervision of the Police Department remain as present with the understanding that funding is provided for under the Parking Enterprise Fund, allowing for further consideration by the Board at a later time following budget adoption.

The Committee recommends that the Board accept and approve the aforementioned recommendations and refer same to the Committee on Finance for FY07 budget actions as may be required, and to the Committee on Bills on Second Reading for Ordinance preparation and technical review as may be necessary with final adoption of related Ordinances anticipated to be accomplished by the full Board of Mayor and Aldermen prior to July 1, 2006.

| At a meeting of the Box | ard of Mayor and Alc | lermen        |
|-------------------------|----------------------|---------------|
| noid May 2, 2006        | on a motion of Ald.  | Lopez         |
| uly seconded by Ald.    | O'Neil               | the report    |
| of the Committee was    | accepted and its rec | commendations |
| (adopted) (denied)      | Polise               | V_            |
| - Andrewson             | Chyc                 | Sull          |

Respectfully submitted,

Clerk of Committee



#### City of Manchester New Hampshire

In the year Two Thousand and

Six

#### AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### SECTION 33.024 CLASSIFICATION OF POSITIONS be amended as follows:

Establish Parking Manager, Class Code 5291

#### SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Parking Manager, Class Code 5291, Grade 25

#### SECTION 33.026 CLASS SPECIFICATIONS be amended as follows

Establish Parking Manager, Class Code 5291, Grade 25 exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

#### DRAFT



#### City of Manchester, New Hampshire

#### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Parking Manager |
|-------------------|-----------------|
| Class Code Number | 5291-25         |

#### **General Statement of Duties**

Plans, coordinates, manages and reviews the activities of the City's Parking programs; performs related work as required.

#### Distinguishing Features of the Class

The principal function of an employee in this class is to be responsible for the planning, directing and controlling the City's on-street and off-street public parking programs and facilities to include parking meters, garage fee collection, permits, maintenance activities, contracts and capital improvement programs. The work performed is under the supervision and direction of the Director of Economic Development, but considerable leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of all employees within the Parking Division. The nature of the work performed requires that an employee in this class establish and maintain effective working relationship with public official, local agencies, property owners, leaseholders, other public/private organizations and the general public. The principle duties of this class are performed in a good environment.

#### Examples of Essential Work (illustrative only)

- Plans, develops and administers on-street and off-street parking facilities and programs, strategies, goals, objectives and priorities;
- Participates in long range planning of activities and programs related to public parking facilities and on-street parking areas;



- Recommends and implements policies and procedures;
- Meets with landlords, tenants and downtown organizations, develops individual parking solutions, programs and strategies;
- Maintains public parking assets;
- Conducts parking needs analysis and design parking management plans;
- Selects, assigns, monitors, evaluates and provides professional and technical guidance to staff engaged in the management of field operations, receivables, public counter and banking, cash handling, revenue estimation, qualify control, parking meter collection and maintenance, procedural compliance;
- Participates in the preparation and administration of the division budget;
- Participates in the long-range planning of programs and facility needs related to on-street and off-street parking management;
- Coordinates the development of new parking facilities and on-street parking areas by preparing rate scenarios generating fee revenue to support funding;
- Develops specifications for operational elements of construction, reviews architectural designs and assists in the selection of contractors;
- Secures community support through public meetings and presentations and collaborates with staff from other City Departments during construction;
- Manages and performs negotiation, development, administration, monitoring and evaluation of complex parking management contracts to include facility operations, revenue control, equipment selection and operation, customer relations;
- Oversees the development of marketing plans designed to attract new customers and increase parking facility utilization;
- Manages audits of parking facility operations and recommends annual rate changes and revenues to the Board of Mayor and Aldermen;
- Coordinates and performs parking studies and analysis of specific projects and special areas;
- Directs the evaluation of new products, the development of specifications and the development of bid packages for future purchases;
- Prepares and directs the preparation of periodic revenue reports and monthly profit and loss statements, project status reports, prepares a variety of reports, correspondence and studies, reports and information for the Board of Mayor and Aldermen;
- Establish and monitor collections and revenue control systems;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews
  publications and audio-visual materials to become and remain current on the principles,
  practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

### Page 3

#### Required Knowledge, Skills and Abilities (at time of appointment)

- Comprehensive knowledge of parking operations and procedures for parking programs;
- Comprehensive knowledge of current principles and practices of public parking;
- Comprehensive knowledge of budgetary principles within a municipality;
- Ability to devise and implement programmatic solutions to address on-street and of-street parking customers and achieve revenue goals;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to market parking and lease services to a diverse customer base;
- Ability to analyze, interpret and explain paring regulations and codes;
- Ability to communicate clearly and concisely both verbally and in writing;
- Ability to negotiate contract and other agreements on facility uses;
- Ability to collect, compile, analyze and interpret data;
- Ability to use logical and creative thought processes to develop solutions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

#### **Acceptable Experience and Training**

- Graduation from an accredited college or university with a Bachelor's degree in Public Administration, engineering, planning, architecture or a related field;
- Five years of progressively responsible administrative/management experience within a large organization working in on-street and off-street public or municipal parking;
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

#### **Required Special Qualifications**

- Possession of a New Hampshire Driver's license;
- Designation of Certified Parking Professional from the National Parking Association or Certified Administrator of Public Parking (CAPP) from the International Parking Institute preferred.

#### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

| Approved by  | Date:  |
|--------------|--------|
| Approved by: | 174101 |



#### CITY OF MANCHESTER

Human Resources Department

One City Hall Plaza

Manchester, New Hampshire 03101

Tel: (603) 624-6543 (V/TTY) • Fax: (603) 628-6065

www.ManchesterNH.gov



May 3, 2006

To the Honorable Mayor Frank Guinta and Members of the Board of Aldermen City of Manchester One City Hall Plaza Manchester, New Hampshire 03101

Re: Proposed Class Specification - Parking Manager

Dear Mayor Guinta and the Board of Aldermen:

As per your request, I have drafted a class specification for the new position Parking Manager.

I have spoken to the Human Resource Directors in Portsmouth and Concord regarding the minimum qualifications in their Parking Manager class specifications. Neither of the cities require the special qualification of Certified Parking Professional or Certified Administrator of Public Parking. However, in Portsmouth, the Traffic Engineer does possess these certifications. In Concord, the individual that they recently hired also possesses the certifications. Therefore, I have stated in the class specification that we would prefer the certifications but they are not required. I hope that satisfies your concerns.

I am attaching a copy of the draft class specification for your review and comments. I am also attaching an Ordinance which is required to establish the position and class specification.

If you would like any changes to the draft, please let me know and I will make those changes.

Please let me know if this meets your needs.

Sincerely,

Virginia A. Lamberton Human Resources Director

Nuquia a Lanbadar

Attachments



#### To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

Ih A Berner

Clerk of Committee

#### To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Administration/Information Systems respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

and is recommending same be referred to the Committee on Bills on Second Reading for technical review.

(Unanimous vote)

| to a meeting of the Board of Mayor and Aldermen       | Respectfully submitted, |
|---|-------------------------|
| aid April 18, 2008 n a motion of Aid. DeVries         | 100                     |
| duly seconded in the report the report                | ( and Holyson           |
| of the Committee was accepted and its recommendations | Clerk of Copynittee     |
| June 1  | Dupun                   |
| CATO CATO   |                         |

#### City of Manchester New Hampshire

In the year Two Thousand and Six

#### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 1

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, is follows:

 Amending Section 111.71 Curfew For Entertainment by inserting new language as bolded (bold). Sections of Chapter 111 not regular type remain unchanged.

#### 111.70 CURFEW AT DANCES.

No public dancing shall be permitted between the hours of 2:00 a.m. and 2:00 p.m. on Sunday, 1:00 a.m. and 12:00 p.m. on Monday, or 2:00 a.m. and 12:00 p.m. Tuesday, Wednesday, Thursday, Friday, and Saturday.

#### 111.71 CURFEW FOR ENTERTAINMENT.

- (A) No exhibit of natural or artificial curiosities, theatrical performances, or other shows shall be permitted **outdoors after 10:00 p.m.**, as specified in section **111.75(B)(1)**, or indoors between the hours of 2:00 a.m. and 9:00 a.m. on Sunday, 1:00 a.m. and 9:00 a.m. on Monday, or 2:00 a.m. and 9:00 a.m. Tuesday, Wednesday, Thursday, Friday, and Saturday, except as may be permitted by the Committee on Administration.
- (B) The Committee on Administration may approve applications for Entertainment Licenses if applications meet the criteria listed below. The criteria are as follows:
- (1) The location of the event shall not substantially impact a residential zone or district by excessive noise, traffic or other negative impact;
- (2) The proposed event shall not be more than two consecutive calendar days in length;
- (3) The sponsors, applicants, or management of the event are of sufficiently good character to leave no substantial doubt that the proposed event shall be operated in strict accordance with all state or municipal rules, regulations, ordinances or statutes which are rationally related to the issuance of this license; and
- (4) The event must be held in accordance with all applicable municipal building, zoning, health, police, and fire rules, regulations and ordinances and applicable rules, regulations, and statutes of the State of New Hampshire.

In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### 111.75 NOISE ACTIVITIES; PURPOSE.

The purpose of this section is to establish standards that will eliminate and reduce unnecessary noise at outdoor venues throughout the city which may be physically harmful or otherwise detrimental to individuals and the community in the enjoyment of life, property and the conduct of business.

- (A) No person shall conduct an event that involves the amplification of sound or speech above 60 dB(A) for the purpose of presenting a musical selection, show, performance or concert at an outdoor venue within the limits of the city without obtaining a noise permit issued by the office of the City Clerk.
- (B) The following general guidelines shall apply to the issuance of a noise permit. These guidelines are not all inclusive as other criteria may be established that is reasonable and prudent to protect the public or limit the anticipated detrimental impact of the events noise upon the community:
- (1) All outdoor venues shall have a curfew of 10:00 p.m. Any event which exceeds this curfew shall be assessed the penalty identified in §111.99(C)(4) for each 15-minute period beyond this curfew.
- (2) The office of the City Clerk shall not grant a permit to conduct noise at level greater than 100 dB(A) to be measured 100 feet from the noise source.
- (3) Any sound board or mix position present at an event shall be placed at 100 feet from the noise source.
- (4) The office of the City Clerk may require any applicant to be monitored for sound levels to ensure compliance with this chapter. Monitoring may be conducted by a representative of the city or an independent third party using an appropriate sound level meter. In the event of third party monitoring, all expenses associated with the sound monitoring shall be assumed by the applicant.
- (5) In granting a license, the office of the City Clerk may impose additional conditions or stipulations it deems necessary and proper to preserve the intent of this chapter.
- (6) Should an application for a noise permit be denied, the applicant can appeal the decision to the Committee on Administrative/ Information Systems of the Board of Mayor and Aldermen.





In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 3

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### 111.76 PERMIT FEES.

Each application for a noise permit shall include an application fee of \$200 cash, money order or bank check made payable to the city.

#### 111.77 PROHIBITED CONDUCT.

The following conduct is prohibited:

- (A) Provide any false or inaccurate information to any city board, committee, commission or any employee of the city, in an attempt to deceive or otherwise avoid compliance with this subchapter.
- (B) Hinder, obstruct, delay, resist, interfere, or attempt to interfere with any authorized persons while in the performance of their duties under this ordinance.
- (C) Emit or cause to be emitted any noise which exceeds the established limits in  $\S 111.75(B)(2)$ .
  - (D) Violate any subsection of § 111.75.
- (E) Conduct an event that involves the amplification of sound or speech above 60 DBA for the purpose of presenting a musical selection, show, performance or concert at an outdoor venue in the city without obtaining a license from the office of the City Clerk pursuant to § 111.75(A).

#### 111.99 PENALTY.

- (A) Any person who shall fail to comply with any of the provisions of this chapter or who shall violate any of the provisions set forth herein, unless a penalty is specified elsewhere, shall be subject to the penalties as set forth in § 10.99 of this code of ordinances.
- (B) (1) Any person who commits an act prohibited or made unlawful by  $\S\S 111.40$  through 111.55 or  $\S\S 111.65$  through 111.77 of this chapter or fails to perform any act required by such subchapter shall be guilty of a violation. Each act of violation, or in the case of continuous violation, and every day upon which any such violation shall occur shall constitute a separate offense. In addition, if the court finds for the city, the

In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 4

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

city shall recover its costs of suit including reasonable experts' fees, attorney fees, and necessary investigative costs. Parties held responsible for violations of §§ 111.40 through 111.55 or §§ 111.65 through 111.77 shall include corporate officers, partners, or owners as identified on the business license application or as may be otherwise identified by the city as a result of any related investigation.

- amusement device located within the city in contravention of any of the provisions of §§ 111.40 through 111.55. Upon such seizure the Police Department shall notify the owner of the seized devices, or the person in whose place of business the amusement device was placed, of such seizure and the reason therefor. The Police Department shall hold any such seized devices for a period of not less than ten days from the date of the required notification to the owner or operator of the premises. During this period the owner or operator may redeem any such machine by correcting the violation of this division which led to such seizure. Any amusement devices which are so seized and which are not redeemed within the ten-day period described in this division (B)(2) shall become the property of the city. Costs for transportation and storage charges will be billed to the owner of any amusement devices seized and must be paid before the release of the devices from city storage. The city will be held harmless for any damage occurring during the act of confiscation, transportation, and storage of each device.
- (C) Violations of § 111.77, Prohibited Conduct shall follow the penalty schedule below:
- (1) First offense. The licensee or his or her representative shall be informed of the noise ordinance and corrective measures to achieve compliance. This shall constitute an official warning and should be accomplished in writing if possible.
- (2) Second offense. A citation shall be issued to the licensee or his or her representative in the amount of \$250.
- (3) Third offense. A citation shall be issued to the licensee or his or her representative in the amount of \$500.
- (4) Fourth and subsequent offenses. A citation shall be issued to the licensee or his or her representative in the amount of \$1,000.





# CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

MEMORANDUM

TO:

Committee on Administration/Information Systems

Ald. O'Neil, Lopez, Smith, Forest, DeVries,

FROM:

Matthew Normand

Deputy Clerk

DATE:

March 30, 2006

RE:

Amendment to Entertainment Curfew

The attached amendments to Chapter 111 Amusements of the Code of Ordinances represent a "house-cleaning" change, primarily to the curfew for entertainment. The recently passed Noise permit and accompanying standards established a new curfew (10:00 p.m.) for *outdoor* entertainment. A previous curfew, intended for *indoor* entertainment, already exists and allows activities until 2:00 a.m. on most nights of the week. Since this ordinance does not specify indoor entertainment, an obvious conflict between the two sections was created. The Solicitor's Office agrees that this amendment should clear up any confusion with the curfew.

You should note that the ordinance amendments also include the sections involving the Noise permitting process. These sections have only been renumbered to allow for future expansion of the chapter and no substantive changes have been made. If you have any questions or concerns prior to your meeting, you may reach me at 624-6348. Thank you.



# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Bills on Second Reading respectfully recommends, after due and careful consideration, that an Ordinance:

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48(C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

ought to pass.

(Unanimous vote with the exception of Alderman Garrity who was absent.)

Respectfully submitted,

To A. Berner.

Clerk of Committee



In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

I. Amend the Code of Ordinances by inserting new language as bolded (**bold**), and deleting existing language as struckthrough. Portions of the following sections that remain unchanged appear in regular type.

# $\S$ 70.48 DENOMINATION OF COIN TO BE DEPOSITED AND TIME ALLOTTED THEREFOR.

- Whenever any vehicle shall be parked next to a parking meter on any day, when parking regulations as provided for under the provisions of this chapter are in effect, the owner or operator of said vehicle shall park within the area designated by the curb and street marking lines as indicated for parallel, or diagonal parking on public highways or in municipal parking lots within the lines indicated for the parking meter selected by the operation of the motor vehicle, and upon entering said parking space shall immediately deposit in said parking meter any lawful coin or coins of the United States in the proper amount depending upon the location and the length of time such vehicle can be legally parked as prescribed for that zone by this chapter and shall put the meter in operation; provided, however, that such owner or operator may use the unexpired time remaining on the meter from the previous use without depositing a coin therein, and provided further that no vehicle shall be parked for longer than the period prescribed for that zone by this chapter. When a vehicle is too large to be confined in a single space, only the meter nearest the hood of the front end of said vehicle need be operated. If a vehicle shall remain parked in any parking space for longer than the time prescribed by this chapter or for such length of time that the parking meter shall display a signal indicating illegal parking, then in that event such vehicle shall be considered as parked overtime.
- (B) It shall be unlawful to deposit or cause to be deposited in any parking meter anything other than a coin or coins of the United States.
- (C) It shall be unlawful to park in any space without a meter beyond the prescribed time.

In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### § 70.78 PENALTY.

(A) Each owner or operator of a vehicle found in violation of any provision of Chapter 70 may pay in person or by mail to the Ordinance Violations Bureau the penalty for each violation pursuant to the following table:

| <u> </u>                                     | T                |   |
|--|------------------|---|
| VIOLATION                                    | BASIC<br>PENALTY | INCREASED PENALTY (After 7 days from the notice of violation) |
| Expired Parking Meter                        | \$10             | \$20  |
| Overtime Parking-Meter                       | \$15             | \$30  |
| Night Parking                                | \$25             | \$50  |
| Overtime Parking- No Meter                   | \$30             | \$60  |
| No Parking Zone                              | \$50             | \$75  |
| No Parking Tow Zone                          | \$50             | \$75  |
| Fire Lane                                    | \$50             | \$75  |
| Parking Within 15 Feet of<br>Fire Hydrant    | \$50             | \$75  |
| Parking Within 5 Feet of<br>Private Driveway | \$50             | \$75  |
| Handicapped Parking Space-<br>Access Aisle   | \$100            | \$200   |
| Handicapped Zone                             | \$250            | \$300   |





In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 70 Motor Vehicles and Traffic of the Code of Ordinances of the City of Manchester by adding §70.48 (C), deleting 70.78 Basic Penalty and 70.79 Increased Penalty, and creating a new 70.78 Penalty increasing various traffic violations and establishing a new table therein."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

(B) Any violation of Chapter 70 not identified in §70.78 (A) shall be issued pursuant to §38.06 (B) of this code.

#### § 70.79 INCREASED PENALTIES.

Any person, firm or corporation who shall violate any of the provisions of Chapter 70 regulating standing, stopping or parking and who fails to dispose of the notice of violation as required by § 70.71 shall dispose of that notice of violation by paying an increased penalty as provided herein.

| After 7-Days              |                   |
|---------------------------|-------------------|
| Expired Parking Meter     | \$20,00           |
| Overtime Parking          | 30.00             |
| Night Parking             | 45.00             |
| No Parking Zone           | 40.00             |
| No Parking Tow Zone       | 50.00             |
| Handicapped Zone          | 300.00            |
| Handicapped Parking Space |                   |
| Access Aisle              |                   |
| First Offense             | 75.00             |
| Subsequent Offenses       | <del>125.00</del> |
| Fire Lane                 | 50.00             |

Any person, firm or corporation responsible for a violation of this chapter who fails to pay the penalty or increased penalty for a notice of violation shall be guilty of a violation and shall, upon conviction, be punished by a fine as prescribed under § 130.99 of this Code.

II. This ordinance shall take effect upon passage.



# CITY OF MANCHESTER Office of the City Clerk



Leo R. Bernier City Clerk

Carol A. Johnson Deputy City Clerk

Paula L-Kang Deputy Clerk Administrative Services

Matthew Normand Deputy Clerk Licensing & Facilities

Patricia Piecuch Deputy Clerk Financial Administration

May 24, 2006

The Honorable Board of Mayor and Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: July BMA Meeting

Dear Honorable Board Members:

With the 4<sup>th</sup> of July falling on the first Tuesday of the month which would be the Board's regularly scheduled meeting date I am inquiring as to which alternative date the Board would like to hold its monthly meeting. In the past, the Board has met on the third Tuesday in July that being July 18 this year.

Please advise as to your selection.

Sincerely,

Leo R. Bernier City Clerk

### **MEMORANDUM**

To: Board of Mayor and Aldermen

From: Robert S. MacKenzie

Director of Planning

**Date:** May 30, 2006

Subject: <u>Project Extensions</u>

The following projects are requested to be extended until December 31, 2006:

| N/soz                                 | Fund Tune         | Duoingt 4                             | Duoingt Name  | Palanas/Ensymboranas            |
|---------------------------------------|-------------------|---------------------------------------|---|---------------------------------|
| <u>Year</u> 2006                      | Fund Type<br>CDBG | <u>Project #</u> 210006               | Project Name Children's Health & Nutrition – Health | Balance/Encumberance \$3,068.00 |
| <u> </u>                              |                   |                                       |   | \$25,770.20                     |
| 2006                                  | Federal           | 211106                                | OJJDP WYR Project – OYS                             | \$7,956.34                      |
| 2006                                  | CDBG              | 211706                                | Center City Disease – Health                        |                                 |
| 2006                                  | CDBG              | 310106                                | Employment & Training – MCRC                        | \$21,000.00                     |
| 2006                                  | Other             | 410006                                | Mobile Data Terminal/AVL's – Fire                   | \$353,636.59                    |
| 2006                                  | State             | 411006                                | VAWA - Police                                       | \$40,592.88                     |
| 2006                                  | State             | 411606                                | Homeland Security Grant – Police                    | \$27,208.00                     |
| 2006                                  | CBDRF             | 510206                                | Millyard Improvements - Parks                       | \$24,347.00                     |
| 2006                                  | Cash              | 511106                                | Annual Parks Maintenance Program                    | \$45,601.66                     |
| 2006                                  | Cash              | 511306                                | Crystal Lake Master Plan                            | \$49,826.52                     |
| 2006                                  | AHTF              | 610106                                | Permanent Supportive Housing Helping Hands          | \$300,000.00                    |
|                                       | CDBG/Cash/        |                                       |   | CDBG-\$3,524.50/Cash-           |
| 2006                                  | Donations         | 610406                                | Project Greenstreets – Parks                        | \$8661.31/Don-\$8,983.54        |
| 2006                                  | Cash              | 610506                                | Valley Cemetery (Auburn Street Fence)               | \$33,080.90                     |
| 2006                                  | AHTF/Other        | 610606                                | Housing Rehabilitation/Lead Paint                   | \$64,424.76                     |
| 2006                                  | Other             | 610706                                | Planning Studies Implementation – Planning          | \$495,049.80                    |
| 2006                                  | Cash              | 610906                                | Operational – Destination Coordinator               | \$4,622.20                      |
| 2006                                  | CDBG              | 611106                                | Property Renovations – Farnum Center                | \$35,000.00                     |
| 2006                                  | Home              | 611606                                | Renaissance 8 – MNHS                                | \$300,000.00                    |
| 2006                                  | Home              | 612106                                | Tenant Assistance/Security Deposits - Way           | \$37,728.00                     |
|                                       |                   |                                       | Home  | 0.10.700.00                     |
| 2006                                  | CDBG              | 612406                                | Neighborhood Revitalization Program – Planning      |                                 |
| 2006                                  | Other             | 612506                                | Energy Efficiency Improvement Project               | \$51,878.36                     |
| 2006                                  | Other             | 612606                                | Citywide Marketing Plan Program – MEDO              | \$15,000.00                     |
| 2006                                  | FTA               | 710406                                | ADA/Software – Planning                             | \$80,000.00                     |
| 2006                                  | FTA               | 710606                                | Passenger ADA Lift Vans – Planning                  | \$141,750.00                    |
| 2006                                  | CDBG              | 710706                                | Infrastructure ADA Access Improvements              | \$90,000.00                     |
| 2006                                  | CDBG              | 710806                                | Municipal Infrastructure – Highway                  | \$300,000.00                    |
| 2006                                  | CDBG              | 710906                                | School Sidewalk Program                             | \$75,000.00                     |
| 2006                                  | Cash              | 711106                                | Annual ROW Maintenance                              | \$170,311.90                    |
| 2006                                  | Cash              | 711206                                | Campbell Street Traffic Study                       | \$8,499.97                      |
| 2006                                  | Cash              | 711306                                | Chronic Drain                                       | \$16,499.55                     |
| 2006                                  | Cash              | 711406                                | Downtown Miscellaneous Repairs                      | \$25,000.00                     |
| · · · · · · · · · · · · · · · · · · · |                   | · · · · · · · · · · · · · · · · · · · | 1   |                                 |

| 2006 | Cash       | 711506 | Municipal Deferred Maintenance             | \$20,712.62                           |
|------|------------|--------|--|---------------------------------------|
| 2006 | Enterprise | 712006 | S. Mammoth Phase 3 – EPD                   | \$48,849.78                           |
| 2006 | Cash       | 712706 | Discretionary Sidewalk/Curb Program        | \$18,268.00                           |
| 2006 | FTA        | 712806 | Replacement Transit Buses – Transit        | \$893,025.00                          |
| 2006 | Other      | 712906 | Manchester Watershed Conservation/Pres.    | \$100,000.00                          |
| 2006 | Other      | 713006 | Crystal Lake Conservation Fund – Planning  | \$40,000.00                           |
| 2006 | DOT        | 810006 | Citywide Revaluation – Assessors           | \$135,998.53                          |
| 2006 | Arts       | 810206 | First Public Sculpture – Art Commission    | \$40,000.00                           |
| 2006 | CDBG       | 810306 | Economic Development Planning/Master Plan  | \$2,523.44                            |
| 2006 | VISTA      | 810406 | VISTA Coordinator – Planning               | \$16,255.19                           |
| 2006 | CDBG       | 810506 | ADA Compliance – HR                        | \$3,995.65                            |
| 2006 | CDBG       | 810606 | ADA Compliance – Planning                  | \$310,000.00                          |
| 2006 | CDBG/Cash  | 810806 | Community Development Initiatives          | CDBG - \$11,393.46/Cash<br>- \$14,500 |
| 2006 | CDBG       | 810906 | Planning & Resource Support                | \$3,457.41                            |
| 2006 | Cash       | 811106 | Employee Training & Development - HR       | \$3,559.51                            |
| 2005 | Other      | 210105 | Homeless Healthcare – Health               | \$16,079.15                           |
| 2005 | Other      | 210505 | School Based Dental Program                | \$49,960.19                           |
| 2005 | Other      | 214205 | Endowment for Health                       | \$1,420.09                            |
| 2005 | Cash       | 410005 | Comprehensive Wellness – Fire              | \$13,206.52                           |
| 2005 | Cash       | 411105 | Hazard Tree Removal – Parks                | \$3,309.77                            |
| 2005 | Other      | 411705 | Homeland Security Competitive Grants       | \$249,629.87                          |
| 2005 | Other      | 411805 | Public Health Bioterrorism                 | \$11,645.00                           |
| 2005 | Other      | 411905 | Homeland Security Hazardous Materials      | \$50,046.65                           |
| 2005 | CDBG/Other | 510005 | Park Facilities Improvement                | CDBG - \$61,852.95                    |
|      |            |        |  | Other - \$252,540.36                  |
| 2005 | CDBG       | 611005 | ADA Compliance Renovations-Helping Hands   | \$40,000.00                           |
| 2005 | CDBG/Cash  | 612105 | Neighborhood Revitalization Program        | CDBG - \$10,000.00                    |
|      |            |        |  | Cash - \$10,000.00                    |
| 2005 | CDBG       | 612605 | Capital Improvements – YWCA                | \$239,255.02                          |
| 2005 | Cash       | 613105 | "Jac Pac" Acquisition Project              | \$345,000.00                          |
| 2005 | Cash/Other | 710205 | Public Works Infrastructure – Highway      | Cash - \$647,935.85                   |
|      |            |        |  | Other - \$560,000.00                  |
| 2005 | CDBG       | 710305 | Infrastructure ADA Access Improvements –   | \$42,470.23                           |
|      |            |        | Highway                                    | 000 (05.71                            |
| 2005 | CDBG       | 710405 | Municipal Infrastructure – Highway         | \$88,635.71                           |
| 2005 | Cash       | 710805 | Downtown Infrastructure Repairs – Highway  | \$40,489.09                           |
| 2005 | Enterprise | 711005 | Cohas Brook Interceptor – Phase II – EPD   | \$240,982.39                          |
| 2005 | Enterprise | 711305 | Sewer Infrastructure – EPD                 | \$66,633.32                           |
| 2005 | Enterprise | 711705 | WWTF Facility Plan – EPD                   | \$554,018.93                          |
| 2005 | Cash       | 810105 | Replace Transit Radio System - MTA         | \$10,814.00                           |
| 2005 | CDBG       | 810505 | ADA Compliance – Planning                  | \$205,483.15                          |
| 2005 | CDBG       | 810705 | Community Master Plan – Planning           | \$29,302.06                           |
| 2005 | CDBG/Cash  | 811005 | Special Projects Planner – Planning        | CDBG - \$26,732.64                    |
|      |            | 014105 | Marie ID Constitution Design               | Cash - \$10,000.00                    |
| 2005 | Cash       | 811105 | Municipal Deferred Maintenance Program     | \$63,511.32                           |
| 2004 | Other      | 214704 | Lead Safe For Kids Sake                    | \$11,000.00                           |
| 2004 | Cash       | 411104 | Dilapidated Building Demolition – Building | \$10,000.00                           |

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| 2004    | Cash       | 710904  | Annual Bridge Maintenance                    | \$100,000.00   |
| 2004    | Enterprise | 711904  | Cohas Brook Interceptor – EPD                | \$23,595.29    |
| 2003    | Other      | 215803  | Air Quality Related Health Services          | \$7,914.00     |
| 2003    | CASH       | 411103  | Hazardous Material – Fire Department         | \$9,513.25     |
| 2003    | CASH       | 710603  | Annual Bridge Maintenance – Highway          | \$59,734.77    |
| 2003    | Enterprise | 711603  | Candia Road Sewer Project – EPD              | \$137,342.54   |
| 2003    | Enterprise | 711703  | Cemetery Brook Collector Rehabilitation      | \$2,511,291.53 |
| 2003    | Other      | 713303  | So. Willow Street Area Improvements          | \$49,399.40    |
| 2001    | Enterprise | 740001  | CSO Abatement Projects - EPD                 | \$2,619,158.24 |
| 2000    | Enterprise | 760500  | CSO Phase I - EPD                            | \$80,356.12    |
| 1997    | Enterprise | 7.60323 | Cohas Brook Interceptor Phase 1 – EPD        | \$73,386.19    |
| 1998    | Enterprise | 7.60326 | Test/Seal/Repair Sewers Woodcrest Court –EPD | \$87,815.69    |
| 1994    | Other      | 7.10227 | S. Willow Street Improvements                | \$177,517.38   |

# To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Human Resources/Insurance respectfully advises, after due and careful consideration, that it has approved Ordinance:

"Amending Section 33.026 of the Code of Ordinances of the City of Manchester providing for updates to Class Specification for Housing Inspector."

providing for changes in class specifications, which do not change the title of the position and do not provide for any changes in salary grades of such position and is forwarding same to the Board for adoption.

(Unanimous vote; Alderman Garrity absent)

Respectfully submitted,

Lek Blenin

Clerk of Committee



In the year Two Thousand and Six

### AN ORDINANCE

"Amending Section 33.026 of the Code of Ordinances of the City of Manchester providing for updates to Class Specification for Housing Inspector."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Change class specification, Housing Inspector, Class Code 5120 (Non-exempt see attached)

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.





### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Housing Inspector |
|-------------------|-------------------|
| Class Code Number | 5120-17           |

### **General Statement of Duties**

Performs building inspections to ensure compliance with City standards; performs directly related work as required.

### Distinguishing Features of the Class

The principal function of an employee in this class is to inspect residential rental property located in all types of residential units, including but not limited to single family and large multi-unit complexes, to verify that they meet the minimum standards of the City. The work is performed under the supervision and direction of the Housing Inspections Supervisor but considerable leeway is granted for the exercise of independent judgement and initiative. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with rental unit owners, other City employees and the public. The principal duties of this class are performed in both an indoor and outdoor work environment with potential personal hazards.

# Examples of Essential Work (illustrative only)

- Inspects and re-inspects rental units for the Certificate of Compliance Program, including the Life Safety Code, heating and plumbing systems, electrical systems and structural requirements;
- Responds to and investigates complaints from citizens and other City departments relating to sub-standard conditions existing in rental units and exterior areas of property;

- Educates landlords, managers and tenants with regards to Housing Standards issues;
- Researches legal status of buildings and investigates illegal dwelling units;
- Prepares violations notices, issues and delivers citations, prepares legal documents and testifies in court as necessary;
- Insures the intent of the licensing laws of the State of New Hampshire are maintained through confirmation of required license status at the time of permit issuance and installation inspections;
- Serves as an information resource for all interested members of the public in all related compliance issues;
- Provides information to owners with regard to the Certificate of Compliance Program and seeks to promote a process of cooperation between rental owners and the City of Manchester;
- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

# Required Knowledge, Skills and Abilities (at time of appointment)

- Thorough knowledge of all applicable building codes relating to the Certificate of Compliance Program;
- Thorough knowledge of principles and techniques of modern building construction;
- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.



### **Acceptable Experience and Training**

- Graduation from High School or completion of GED; and
- Some experience in construction with some building inspection experience; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

### Required Special Qualifications

- Valid New Hampshire driver's license;
- C.A.B.O Certification as a Housing Inspector or must be obtained during the probationary period.

### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to inspect exiting buildings or on-going work under conditions encountered on construction sites;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to work around construction equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to visit construction sites throughout the city and to climb, crawl in tight places and otherwise move through and around assigned building areas.

| Approved by: |       | Date: |
|--------------|-------|-------|
|              | <br>~ |       |



In the year Two Thousand and

six

### AN ORDINANCE

"Amending Sections 33.024, 33.025 & 33.026 (Relating to the Reorganization of the Health Department) of the Code of Ordinance of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, is follows:

# SECTION 33,024 CLASSIFICATION OF POSITION be amended as follows:

Abolish Deputy Public Health Director Establish Public Health Administrator

# SECTION 33.025 COMPENSATION OF POSITION be amended as follows:

Abolish Deputy Public Health Director, Grade 25 Establish Public Health Administrator, Grade 24, exempt Reclassify (1) Public Health Specialist III, Grade 21 to Public Health Administrator, Grade 24

# SECTION 33.026 CLASS SPECIFICATIONS be amended as follows:

Abolish Deputy Public Health Director, Class Code 7107 Establish Public Health Administrator, Class Code 7114

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.

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# City of Manchester, New Hampshire

# **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Public Health <del>Preparedness</del> Administrator |
|-------------------|---|
| Class Code Number | 711 <b>9</b> -23-24                                 |

### General Statement of Duties

Establish strategic leadership, direction, coordination and assessment of activities pertaining to bioterrorism, infectious *and chronic* disease outbreaks and other public health threats and emergencies. Plans, directs, coordinates and supervises all-environmental public health activities as assigned, to the Manchester Health Department; performs directly related work as required.

### Distinguishing Features of the Class

The principal function of an employee in this class is to ensure that all environmental public health concerns are addressed according to professional standards and that environmental laws are enforced. The work is performed under the supervision and direction of the Public Health Director but extensive leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of employees within a major division, or divisions within the Department the classes of Environmental Health Specialist I and II, Public Health Specialist I and II. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with City officials, business owners or managers, other City employees and the public. The principal duties of this class are performed both indoors and outdoors, often in hazardous situations.

# Examples of Essential Work (illustrative only)

- Assess public health system capacities by conducting an integrated assessment of public health and legal system capacities;
- Assist in the development of a statewide emergency response plan including mutual aid agreements, and the provision for regular exercises to test response proficiency;

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- Develop a city/regional plan to respond to acts of bio-terrorism, infectious disease outbreaks and other public health threats and emergencies;
- Coordinate with federal response assets to develop a plan to receive and manage items from the National Pharmaceutical Stockpile;
- MaintainDe velop-a formal system to receive and evaluate urgent disease reports from all parts of the state and city on a 24 hour per day, 7 day per week basis;
- Rapidly and effectively investigate and respond to a potential terrorist event, *or other public healththreat*, as evidenced by ongoing response to naturally occurring individual cases of urgent public health importance;
- Develop and implement a jurisdiction wide program to provide rapid and effective laboratory services by assisting the State Public Health Laboratory in improving relationships with clinical laboratories in Manchester and establish operational relationships with the Manchester Fire and Police Departments to provide laboratory support;
- Plan Coordinate a Health Alert Network that provides a 24/7 flow of critical health information among hospital emergency departments, state and local health departments, City agencies and others;
- Ensure ongoing protection of critical data and secure exchange of information by assessing and developing policies and procedures for protection of critical information and continuity of operations;
- Provide needed health/risk information to the public and key partners during a terrorism event or other public health emergency;
- Deliver appropriate education and training to key public health professionals, infectious disease specialists, emergency department personnel and other health care providers;
- Plans, directs, coordinates and supervises public environmental health activities involving multiple programs;
- Performs environmental health, industrial hygiene, sanitary, disease control and epidemiological inspections;
- Investigates complaints and inspection problems resolving them via standards, regulations and policies;
- Initiates and reviews inspection public health reports, including communicable and chronic disease studies;
- Initiates enforcement proceedings and testifies at legal proceedings;
- Reviews and authorizes issuance of permits and licenses;
- Reviews and approves complex septic system plans;
- Performs environmental health specialist duties as needed;
- Evaluates and recommends public health standards and legislation;
- Advises governmental, community organizations and individuals on environmental health, technical standards and departmental services;
- Plans and conducts professional level environmental and public health education training programs;
- Performs supervisory and personnel tasks relating to the division;
- Prepares, analyzes, reviews and critiques reports, records, correspondence, statistical data and related records;
- Assumes responsibilities of the Public Health Director as needed;



- Provides needed information and demonstrations concerning how to perform certain work tasks to new employees in the same or similar class of positions;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.
- Plans, develops and coordinates public health policies and procedures;
- Coordinates all aspects of the Public Health Improvement/Community Assessment Division;
- Coordinates all Federal and other grant programs of the Department;
- Confers with Department staff to track implementation of policies and make specific recommendations and suggestions on Division or Departmental operations;
- Coordinates various committees relating to community health issues, including the "Healthy Manchester Coordinating Council;
- Develops interventions to meet community needs, including creating evaluation methods to assess progress of interventions;
- Collects and organizes data to identify community health needs;
- Conducts studies and surveys to assess community health needs;
- Organizes community support for public health activities;
- Performs special projects for the Public Health Director as requested;
- Serves as the Public Health Director during an absence;

# Required Knowledge, Skills and Abilities (at time of appointment)

- Comprehensive knowledge of the practices, principles and methods of environmental and public health administration;
- Thorough knowledge of environmental *public* health practices, bioterrorism and industrial hygiene disease prevention principles;
- Thorough knowledge of epidemiology, communicable diseases control, and insect vector control practices;
- Thorough knowledge of applicable Federal, State and Municipal laws and regulations related to environmental and public health;
- Thorough knowledge of and ability to complete complex septic system design and inspection reviews;
- Thorough knowledge of hygiene matters and indoor air quality issues;
- Thorough knowledge of supervisory practices and techniques;

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- Ability to communicate effectively with others, both orally and in writing, using both technical and non-technical language;
- Thorough knowledge of disease control programs;
- Thorough knowledge of preventative initiatives in public health areas;
- Thorough knowledge of current principles and practices of public administration;
- Thorough knowledge of budgetary principles within a municipality;
- Thorough knowledge of public/media relations principles;
- Ability to provide administrative direction within a municipal Department;
- Ability to analyze environmental public health situations, to interpret findings in relation to public health, and to recommend effective and appropriate measures of control of environmental hazards;
- Ability to understand and follow oral and/or written policies, procedures and instructions;
- Ability to prepare and present accurate and reliable reports containing findings and recommendations;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to use logical and creative thought processes to develop solutions according to written specifications and/or oral instructions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Some knowledge of labor relations, public relations, and budget activities;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

### Acceptable Experience and Training

- Graduation from an accredited college or university with a Master's Degree in Environmental Sciences, Public Health or a closely related field; and
- Considerable experience in public or environmental health work, including some supervisory role; or
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

### Required Special Qualifications

- New Hampshire Designer of Subsurface Disposal System License;
- Valid New Hampshire Driver's License.

## Essential Physical Abilities

• Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;

- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to function in review a wide variety of material in both electronic and hardcopy form;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to function in operate a personal computer and related equipment;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to function in have access to various work sites throughout the City.

| Approved by:        | BMA      | Date: | 11/19/02 |
|---------------------|----------|-------|----------|
| Date Established: _ | 11/19/02 |       |          |



In the year Two Thousand and

Six

### AN ORDINANCE

"Amending Sections 33.024, 33.025, & 33.026 (Parking Manager) of the Code of Ordinances of the City of Manchester."

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

### $\underline{SECTION~33.024~CLASSIFICATION~OF~POSITIONS}~be~amended~as~follows:$

Establish Parking Manager, Class Code 5291

### SECTION 33.025 COMPENSATION OF POSITIONS be amended as follows:

Establish Parking Manager, Class Code 5291, Grade 25

### SECTION 33,026 CLASS SPECIFICATIONS be amended as follows

Establish Parking Manager, Class Code 5291, Grade 25 exempt

This Ordinance shall take effect upon its passage and all Ordinances or parts of Ordinances inconsistent therewith are hereby repealed.



# DRAFT



# City of Manchester, New Hampshire

### **Class Specification**

This is a class specification and not an individualized job description. A class specification defines the general character and scope of responsibilities of all positions in a job classification, but it is not intended to describe and does not necessarily list every duty for a given position in a classification.

| Class Title       | Parking Manager |
|-------------------|-----------------|
| Class Code Number | 5291-25         |

## General Statement of Duties

Plans, coordinates, manages and reviews the activities of the City's Parking programs; performs related work as required.

### Distinguishing Features of the Class

The principal function of an employee in this class is to be responsible for the planning, directing and controlling the City's on-street and off-street public parking programs and facilities to include parking meters, garage fee collection, permits, maintenance activities, contracts and capital improvement programs. The work performed is under the supervision and direction of the Director of Economic Development, but considerable leeway is granted for the exercise of independent judgement and initiative. Supervision is exercised over the work of all employees within the Parking Division. The nature of the work performed requires that an employee in this class establish and maintain effective working relationship with public official, local agencies, property owners, leaseholders, other public/private organizations and the general public. The principle duties of this class are performed in a good environment.

# Examples of Essential Work (illustrative only)

- Plans, develops and administers on-street and off-street parking facilities and programs,
   strategies, goals, objectives and priorities;
- Participates in long range planning of activities and programs related to public parking facilities and on-street parking areas;



- Recommends and implements policies and procedures;
- Meets with landlords, tenants and downtown organizations, develops individual parking solutions, programs and strategies;
- Maintains public parking assets;
- Conducts parking needs analysis and design parking management plans;
- Selects, assigns, monitors, evaluates and provides professional and technical guidance to staff engaged in the management of field operations, receivables, public counter and banking, cash handling, revenue estimation, qualify control, parking meter collection and maintenance, procedural compliance;
- Participates in the preparation and administration of the division budget;
- Participates in the long-range planning of programs and facility needs related to on-street and off-street parking management;
- Coordinates the development of new parking facilities and on-street parking areas by preparing rate scenarios generating fee revenue to support funding;
- Develops specifications for operational elements of construction, reviews architectural designs and assists in the selection of contractors;
- Secures community support through public meetings and presentations and collaborates with staff from other City Departments during construction;
- Manages and performs negotiation, development, administration, monitoring and evaluation of complex parking management contracts to include facility operations, revenue control, equipment selection and operation, customer relations;
- Oversees the development of marketing plans designed to attract new customers and increase parking facility utilization;
- Manages audits of parking facility operations and recommends annual rate changes and revenues to the Board of Mayor and Aldermen;
- Coordinates and performs parking studies and analysis of specific projects and special areas:
- Directs the evaluation of new products, the development of specifications and the development of bid packages for future purchases;
- Prepares and directs the preparation of periodic revenue reports and monthly profit and loss statements, project status reports, prepares a variety of reports, correspondence and studies, reports and information for the Board of Mayor and Aldermen;
- Establish and monitor collections and revenue control systems;
- Keeps immediate supervisor and designated others fully and accurately informed concerning work progress, including present and potential work problems and suggestions for new or improved ways of addressing such problems;
- Attends meetings, conferences, workshops and training sessions and reviews publications and audio-visual materials to become and remain current on the principles, practices and new developments in assigned work areas;
- Responds to citizens' questions and comments in a courteous and timely manner;
- Communicates and coordinates regularly with appropriate others to maximize the effectiveness and efficiency of interdepartmental operations and activities;
- Performs other directly related duties consistent with the role and function of the classification.

# Page 3

# Required Knowledge, Skills and Abilities (at time of appointment)

- Comprehensive knowledge of parking operations and procedures for parking programs;
- Comprehensive knowledge of current principles and practices of public parking;
- Comprehensive knowledge of budgetary principles within a municipality;
- Ability to devise and implement programmatic solutions to address on-street and of-street parking customers and achieve revenue goals;
- Ability to operate or quickly learn to operate a personal computer using standard or customized software applications appropriate to assigned tasks;
- Ability to market parking and lease services to a diverse customer base;
- Ability to analyze, interpret and explain paring regulations and codes;
- Ability to communicate clearly and concisely both verbally and in writing;
- Ability to negotiate contract and other agreements on facility uses;
- Ability to collect, compile, analyze and interpret data;
- Ability to use logical and creative thought processes to develop solutions;
- Ability to perform a wide variety of duties and responsibilities with accuracy and speed under the pressure of time-sensitive deadlines;
- Ability and willingness to quickly learn and put to use new skills and knowledge brought about by rapidly changing information and/or technology;
- Integrity, ingenuity and inventiveness in the performance of assigned tasks.

### **Acceptable Experience and Training**

- Graduation from an accredited college or university with a Bachelor's degree in Public Administration, engineering, planning, architecture or a related field;
- Five years of progressively responsible administrative/management experience within a large organization working in on-street and off-street public or municipal parking;
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities necessary to perform the work.

### **Required Special Qualifications**

- Possession of a New Hampshire Driver's license;
- Designation of Certified Parking Professional from the National Parking Association or Certified Administrator of Public Parking (CAPP) from the International Parking Institute preferred.

### **Essential Physical Abilities**

- Sufficient clarity of speech and hearing or other communication capabilities, with or without reasonable accommodation, which permits the employee to communicate effectively;
- Sufficient vision or other powers of observation, with or without reasonable accommodation, which permits the employee to monitor assigned areas;
- Sufficient manual dexterity with or without reasonable accommodation, which permits the employee to operate a vehicle;
- Sufficient personal mobility and physical reflexes, with or without reasonable accommodation, which permits the employee to have access to all areas of the City.

| Approved by: | Date: |  |
|--------------|-------|--|
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In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 1

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, is follows:

 Amending Section 111.71 Curfew For Entertainment by inserting new language as bolded (bold). Sections of Chapter 111 not regular type remain unchanged.

#### 111.70 CURFEW AT DANCES.

No public dancing shall be permitted between the hours of 2:00 a.m. and 2:00 p.m. on Sunday, 1:00 a.m. and 12:00 p.m. on Monday, or 2:00 a.m. and 12:00 p.m. Tuesday, Wednesday, Thursday, Friday, and Saturday.

### 111.71 CURFEW FOR ENTERTAINMENT.

- (A) No exhibit of natural or artificial curiosities, theatrical performances, or other shows shall be permitted **outdoors after 10:00 p.m., as specified in section 111.75(B)(1), or indoors** between the hours of 2:00 a.m. and 9:00 a.m. on Sunday, 1:00 a.m. and 9:00 a.m. on Monday, or 2:00 a.m. and 9:00 a.m. Tuesday, Wednesday, Thursday, Friday, and Saturday, except as may be permitted by the Committee on Administration.
- (B) The Committee on Administration may approve applications for Entertainment Licenses if applications meet the criteria listed below. The criteria are as follows:
- (1) The location of the event shall not substantially impact a residential zone or district by excessive noise, traffic or other negative impact;
- (2) The proposed event shall not be more than two consecutive calendar days in length;
- (3) The sponsors, applicants, or management of the event are of sufficiently good character to leave no substantial doubt that the proposed event shall be operated in strict accordance with all state or municipal rules, regulations, ordinances or statutes which are rationally related to the issuance of this license; and
- (4) The event must be held in accordance with all applicable municipal building, zoning, health, police, and fire rules, regulations and ordinances and applicable rules, regulations, and statutes of the State of New Hampshire.





In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 2

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### 111.75 NOISE ACTIVITIES; PURPOSE.

The purpose of this section is to establish standards that will eliminate and reduce unnecessary noise at outdoor venues throughout the city which may be physically harmful or otherwise detrimental to individuals and the community in the enjoyment of life, property and the conduct of business.

- (A) No person shall conduct an event that involves the amplification of sound or speech above 60 dB(A) for the purpose of presenting a musical selection, show, performance or concert at an outdoor venue within the limits of the city without obtaining a noise permit issued by the office of the City Clerk.
- (B) The following general guidelines shall apply to the issuance of a noise permit. These guidelines are not all inclusive as other criteria may be established that is reasonable and prudent to protect the public or limit the anticipated detrimental impact of the events noise upon the community:
- (1) All outdoor venues shall have a curfew of 10:00 p.m. Any event which exceeds this curfew shall be assessed the penalty identified in §111.99(C)(4) for each 15-minute period beyond this curfew.
- (2) The office of the City Clerk shall not grant a permit to conduct noise at level greater than 100 dB(A) to be measured 100 feet from the noise source.
- (3) Any sound board or mix position present at an event shall be placed at 100 feet from the noise source.
- (4) The office of the City Clerk may require any applicant to be monitored for sound levels to ensure compliance with this chapter. Monitoring may be conducted by a representative of the city or an independent third party using an appropriate sound level meter. In the event of third party monitoring, all expenses associated with the sound monitoring shall be assumed by the applicant.
- (5) In granting a license, the office of the City Clerk may impose additional conditions or stipulations it deems necessary and proper to preserve the intent of this chapter.
- (6) Should an application for a noise permit be denied, the applicant can appeal the decision to the Committee on Administrative/ Information Systems of the Board of Mayor and Aldermen.

In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 3

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

#### 111.76 PERMIT FEES.

Each application for a noise permit shall include an application fee of \$200 cash, money order or bank check made payable to the city.

#### 111.77 PROHIBITED CONDUCT.

The following conduct is prohibited:

- (A) Provide any false or inaccurate information to any city board, committee, commission or any employee of the city, in an attempt to deceive or otherwise avoid compliance with this subchapter.
- (B) Hinder, obstruct, delay, resist, interfere, or attempt to interfere with any authorized persons while in the performance of their duties under this ordinance.
- (C) Emit or cause to be emitted any noise which exceeds the established limits in § 111.75(B)(2).
  - (D) Violate any subsection of § 111.75.
- (E) Conduct an event that involves the amplification of sound or speech above 60 DBA for the purpose of presenting a musical selection, show, performance or concert at an outdoor venue in the city without obtaining a license from the office of the City Clerk pursuant to § 111.75(A).

#### 111.99 PENALTY.

- (A) Any person who shall fail to comply with any of the provisions of this chapter or who shall violate any of the provisions set forth herein, unless a penalty is specified elsewhere, shall be subject to the penalties as set forth in § 10.99 of this code of ordinances.
- (B) (1) Any person who commits an act prohibited or made unlawful by §§ 111.40 through 111.55 or §§ 111.65 through 111.77 of this chapter or fails to perform any act required by such subchapter shall be guilty of a violation. Each act of violation, or in the case of continuous violation, and every day upon which any such violation shall occur shall constitute a separate offense. In addition, if the court finds for the city, the





In the year Two Thousand and Six

### AN ORDINANCE

"Amending Chapter 111 Amusements of the Code of Ordinances of the City of Manchester by amending Section 111.71 Curfew For Entertainment, by adding the outdoor entertainment curfew and renumbering sections 111.71-111.73."

Page 4

BE IT ORDAINED, By the Board of Mayor and Aldermen of the City of Manchester, as follows:

city shall recover its costs of suit including reasonable experts' fees, attorney fees, and necessary investigative costs. Parties held responsible for violations of §§ 111.40 through 111.55 or §§ 111.65 through 111.77 shall include corporate officers, partners, or owners as identified on the business license application or as may be otherwise identified by the city as a result of any related investigation.

- amusement device located within the city in contravention of any of the provisions of §§ 111.40 through 111.55. Upon such seizure the Police Department shall notify the owner of the seized devices, or the person in whose place of business the amusement device was placed, of such seizure and the reason therefor. The Police Department shall hold any such seized devices for a period of not less than ten days from the date of the required notification to the owner or operator of the premises. During this period the owner or operator may redeem any such machine by correcting the violation of this division which led to such seizure. Any amusement devices which are so seized and which are not redeemed within the ten-day period described in this division (B)(2) shall become the property of the city. Costs for transportation and storage charges will be billed to the owner of any amusement devices seized and must be paid before the release of the devices from city storage. The city will be held harmless for any damage occurring during the act of confiscation, transportation, and storage of each device.
- (C) Violations of § 111.77, Prohibited Conduct shall follow the penalty schedule below:
- (1) First offense. The licensee or his or her representative shall be informed of the noise ordinance and corrective measures to achieve compliance. This shall constitute an official warning and should be accomplished in writing if possible.
- (2) Second offense. A citation shall be issued to the licensee or his or her representative in the amount of \$250.
- (3) Third offense. A citation shall be issued to the licensee or his or her representative in the amount of \$500.
- (4) Fourth and subsequent offenses. A citation shall be issued to the licensee or his or her representative in the amount of \$1,000.

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In the year Two Thousand and Six

#### A RESOLUTION

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the 2007 CIP 310207, School Facility Improvements Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 1. That there be and hereby is authorized under and pursuant to the Municipal Finance Act, and any other enabling authority, the issuance and sale of general obligation serial bonds, notes or lease purchases of the City in the aggregate principal amount of One Million Five Hundred Thousand Dollars (\$1,500,000) at one time or from time to time as one or more separate bond, note or lease purchase issues for purposes stated in Section 3 of said Act, as more specifically hereinafter indicated. The bonds, notes or lease purchases of each issue shall bear the City Seal, shall be signed by the manual or facsimile signature of the Mayor, countersigned by the manual or facsimile signature of the Finance Officer and shall be payable in such annual installments as shall be determined by the Finance Officer with the approval of the Mayor. Except as otherwise provided by law and this Resolution, discretion to fix the date, maturities, denomination, place of payment, form and other details of each issue of said bonds, notes or lease purchases and of providing for the sale thereof is hereby delegated to the Finance Officer.

SECTION 2. That the proceeds of said bonds, notes or lease purchases be and they are hereby appropriated for the purpose of financing costs of the following public works and improvements of a permanent nature, hereby authorized namely,

Purpose Amount

2007 CIP 310207, School Facility Improvements

\$1,500,000

It is hereby declared that the public works and improvements to be financed by said bonds, notes or lease purchases have a useful life in excess of 20 years.

SECTION 3. That the Finance Officer, with the approval of the Mayor, is hereby authorized to issue at one time or from time to time notes in anticipation of said bonds, notes or lease purchases and to renew or refund the same under and pursuant to and to the extent authorized by RSA 33:7a.

SECTION 4. That an amount sufficient to pay the principal of and interest on said bonds, notes or lease purchases payable in each year during which they are outstanding be and hereby is appropriated and, to the extent other funds are not available for such purpose, said amount shall be included in the tax levy for each year until the debt represented by said bonds, notes or lease purchases is extinguished.



In the year Two Thousand and Six

### A RESOLUTION

"Authorizing Bonds, Notes or Lease Purchases in the amount of One Million Five Hundred Thousand Dollars (\$1,500,000) for the 2007 CIP 310207, School Facility Improvements Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

SECTION 5. That the bonds, notes or lease purchases herein authorized may be consolidated with any other issue of bonds, notes or lease purchases heretofore or hereafter authorized, provided that the last annual installment of any such consolidated issue shall be payable not later than the date on which the last annual installment of the bonds, notes or lease purchases herein authorized must be payable pursuant to this Resolution.

SECTION 6. This Resolution shall take effect upon its passage.

Commission of the Commission o

In the year Two Thousand and Six

#### A RESOLUTION

"Amending the FY 2001, 2002, and 2006 Community Improvement Programs, transferring, authorizing and appropriating funds in the amount of One Hundred Seventy Seven Thousand Six Hundred Fifty Dollars (\$177,650) for various CIP Projects."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2001, 2002, and 2006 CIP as contained in the 2001, 2002, and 2006 CIP budgets; and

WHEREAS, Table 2 contains all sources of Community Development Block Grant, Emergency Shelter Grant, and HOME funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to provide funding for several City projects as well as assist Easter Seals with the remediation of water damage to its facility on Auburn Street and;

WHEREAS, funds are available from existing CIP Projects and Unprogrammed CIP funds;

NOW, THEREFORE, be it resolved that the 2001, 2002, and 2006 CIP be amended as follows:

#### 1) By decreasing:

| a) | 2001 CIP 340101 Manchester Community Resource Center - | \$<br>74,250 CDBG |
|----|--|-------------------|
| b) | 2002 CIP 310102 Expansion of MCRC -                    | \$<br>14,575 CDBG |
| c) | CIP Unprogrammed funds -                               | \$<br>88,825 CDBG |

#### 2) By increasing:

- a) 2006 CIP 711306 Chronic Drain \$20,000 CDBG increasing the budget from \$35,000 to \$55,000 (\$35,000 Cash & \$20,000 CDBG)
- b) 2006 CIP 610606 Housing Rehabilitation/Lead Paint \$20,000 CDBG increasing the budget from \$205,604 to \$225,604 (\$205,604 Other & \$20,000 CDBG)
- c) 2006 CIP 612406 Neighborhood Revitalization \$38,825 CDBG increasing the budget from \$150,000 CDBG to \$188,825 CDBG

#### 3) By adding:

- a) 2006 CIP 214406 Easter Seals Water Damage Remediation Project \$10,000 CDBG
- b) 2006 CIP 310306 MCRC Basement Retrofitting \$88,825 CDBG



In the year Two Thousand and Six

### A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of One Thousand Two Hundred Dollars (\$1,200) for the 2006 CIP 214506 – Senior Wellness Funding Initiative Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of Federal, State and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen desires to accept funding in the amount of \$1,200 from the State of New Hampshire Department of Health & Human Services for the implementation of the Senior Wellness Funding Initiative Program;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

#### By adding:

FY2006 CIP 214506 - Senior Wellness Funding Initiative Program - \$1,200 State

In the year Two Thousand and Six

### A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Twenty Five Thousand Dollars (\$25,000) for the FY2006 CIP 612606 Citywide Marketing Plan Program."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept funds in the amount of \$25,000 from New Hampshire Department of Resources & Economic Development (DRED) to implement a Citywide Marketing Plan for the purpose of attracting business investment and;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

#### By increasing:

FY2006 CIP 612606 Citywide Marketing Plan Program - \$25,000 Other From \$15,000 (\$15,000 - MDC) to \$40,000 (\$15,000 MDC & \$25,000 DRED)



In the year Two Thousand and Six

### A RESOLUTION

"Amending the FY2006 Community Improvement Program, authorizing and appropriating funds in the amount of Sixty Thousand Dollars (\$60,000) for FY2006 CIP 713406 Watershed Restoration Project."

Resolved by the Board of Mayor and Aldermen of the City of Manchester as follows:

WHEREAS, the Board of Mayor and Aldermen has approved the 2006 CIP as contained in the 2006 CIP budget; and

WHEREAS, Table 1 contains all sources of State, Federal and Other funds to be used in the execution of projects; and

WHEREAS, the Board of Mayor and Aldermen wishes to accept grant funds in the amount of \$60,000 from the New Hampshire Department of Environmental Services for improvements to Nutts Pond Watershed Project;

NOW, THEREFORE, be it resolved that the 2006 CIP be amended as follows:

#### By adding:

FY2006 CIP 713406 - Watershed Restoration Project - \$60,000 State